

Michael Corey Jenkins, et al.
v.
Rankin County, Mississippi, et al.

Sheriff Bryan Bailey
January 8, 2025

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IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

MICHAEL COREY JENKINS, et al.

Plaintiffs,

v. Civil Action No. 3:23-cv-374-ASH-DPJ

RANKIN COUNTY, MISSISSIPPI, et al.,

Defendants.

DEPOSITION OF SHERIFF BRYAN BAILEY

Taken at the instance of the Plaintiff at the
offices of Biggs Ingram and Solop PLLC, 578 Highland
Colony Parkway, Suite 100, Ridgeland, Mississippi on
Wednesday, January 8, 2025,
beginning at 10:17 a.m.

* * * * *
REPORTED STENOGRAPHICALLY BY:

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1 Bryan Bailey,
2 having been first duly sworn, was examined and
3 testified as follows:
4

5 EXAMINATION BY MR. SHABAZZ:

6 Q. All right. Good morning, Mr. Bailey.

7 A. Good morning.

8 Q. My name is Malik Shabazz and I'm here with
9 Trent Walker. We are attorneys who represent
10 Michael Jenkins and Eddie Parker for the incidents
11 and occurrence of January 24, 2023 in Rankin County,
12 Mississippi, in this lawsuit, which is a civil
13 rights lawsuit.

14 And amongst the allegations are that you
15 as the sheriff failed to monitor supervise your
16 department which had a direct connection to what
17 happened to Michael and Eddie on that day. Okay?

18 So I want to ask you this, are you aware
19 that you're under oath today, the same as if you
20 were in a court of law?

21 A. I do.

22 Q. Are you under the effect of any type of
23 medication or anything that would affect your
24 answers to my questions today?

25 A. I'm not.

1 Q. Okay. I'm sure you've taken depositions
2 before; is that correct?

3 A. I have.

4 Q. So if you don't understand the question
5 you'll tell me and I'll try to speak to get my
6 answer out and I'm hoping you'll wait and then
7 you'll answer and I'll be patient with you to hear
8 your answer before I speak so that we have a clear
9 record. But if you don't understand a question,
10 please tell me.

11 What did you do today to prepare for
12 today's deposition? Without --

13 MR. DARE: And Counsel.

14 MR. SHABAZZ: Yes.

15 MR. DARE: Sorry for interrupting.

16 The only other introductory portion that I
17 typically give in depositions is just want to make
18 sure that it is agreed by all counsel the deposition
19 is being taken pursuant to the Federal Rules of
20 Civil Procedure, such that all objections, except
21 for the form of the question are reserved until such
22 time as this deposition is used at a other trial or
23 hearing. Is that acceptable?

24 MR. SHABAZZ: That's acceptable.

25 MR. DARE: Thank you, Counsel.

1 MR. SHABAZZ: Yes, sir.

2 Q. (By Mr. Shabazz) Mr. Bailey, your attorney
3 at some point will object, but this is a deposition
4 so we still will have to answer the question.

5 So without going into the content of your
6 conversation with your attorney, what did you do to
7 prepare for today's deposition?

8 A. I haven't done anything today. Yesterday
9 I just reviewed the old -- some old policies and
10 procedures.

11 Q. Okay. Have you met or spoke with anyone
12 from the -- other than your attorney, have you spoke
13 with anyone from Rankin County about your testimony
14 today?

15 A. No, I have not.

16 Q. Have you reviewed or discussed your
17 testimony with anyone other than your attorney?

18 A. No, not my testimony. No.

19 Q. Have you reviewed any materials that have
20 been provided to you in preparation for today's
21 deposition?

22 A. The only thing I reviewed was some old --
23 the old policies and procedures.

24 Q. Now, when you say old policy and
25 procedure, what did you mean?

1 A. The policies and procedures that were in
2 place January of 2023.

3 Q. Okay. Prior to the policies -- why do you
4 call that old?

5 A. Because they've since been changed,
6 several of them have been changed.

7 Q. So you have reviewed the policies that
8 were in place at the time of what happened to
9 Michael Jenkins and Eddie Parker?

10 A. Yes.

11 Q. When were those policies developed?

12 A. I'd have to look back at them again to see
13 the dates on them.

14 Q. But you don't recall the dates on them at
15 this time?

16 A. No, sir. I can tell you they were in
17 place in January of 2023, those were the current
18 policies.

19 Q. And then the policies were changed? Were
20 the policies changed after that?

21 A. Some policies were changed after that,
22 yes, sir.

23 Q. Okay. And the policies that were in place
24 in January of 2023, how long had they been in place
25 for?

1 A. I don't know. I would have to review them
2 again because it was five or six different policies.
3 I don't know the dates on them.

4 Q. What would be your -- what would be
5 your -- your rough estimate?

6 MR. DARE: You're not required to
7 speculate.

8 THE WITNESS: I would have to review them
9 and get the date off the policy and procedures.

10 Q. (By Mr. Shabazz) But do you recall, prior
11 to January 2023, the last time that any of those
12 policies were changed?

13 A. The policies are constantly changed.
14 That's why I'm saying I would have to look at the
15 dates. Because throughout the years they're
16 constantly being changed and updated. So I can't
17 give you an exact date that they were updated.

18 Q. But you say that they're constantly being
19 changed and updated prior -- going up to the
20 incident of January 2023?

21 A. Yes, sir, policies and procedures are
22 reviewed and updated over time.

23 Q. Okay. And you say that was constantly
24 occurring?

25 A. Over time, yeah. But it's not like a -- I

1 mean, I'm sure yearly that something in a policy
2 would change yearly or every other year, but they
3 would be reviewed and changed as needed.

4 Q. Okay. Can you tell me, in terms of the
5 Michael Jenkins and Eddie Parker incident, can you
6 tell me everyone you have spoken to about this
7 lawsuit? Can you tell me the persons that you've
8 spoken to about -- pardon me -- not the lawsuit.
9 About the incident that occurred, the shooting of
10 Michael Jenkins. Can you tell me everyone that you
11 have spoken to about that incident?

12 A. I don't know if I can tell you every
13 single person I talked to, but I can -- I know I
14 talked to the administrative staff at the sheriff's
15 office and our attorney and -- that would be the
16 main ones that I talked to about it.

17 Q. The administrative staff at the sheriff's
18 office?

19 A. Yes, sir.

20 Q. Okay. Could you tell me those persons you
21 spoke to about it?

22 A. Let's see, back then the undersheriff
23 would have been Randy Gray, the attorney would have
24 been Paul Holley, the Captain of Patrol would have
25 been Dewayne Thornton, the Chief Investigator would

1 have been Brett McAlpin, the Jail Administrator
2 would have been Barry Vaughn, I think
3 Michael Chandler was over Court Services.

4 Q. Who was that person?

5 A. Michael Chandler would be the Captain over
6 Court Services.

7 Q. Okay. That's the administrative staff at
8 the jail.

9 Have you spoken to any other agency
10 authorities about that incident?

11 MR. DARE: Object to form. You can
12 answer.

13 Q. (By Mr. Shabazz) For example, Department
14 of Justice, Mississippi Bureau of Investigation?

15 A. The night that it happened I talked to
16 Investigator Holifield, Colonel Haynes and there's
17 another MBI investigator, I can't remember his name,
18 that responded that night. I talked to them that
19 night about the initial call.

20 Then afterwards I didn't really talk --
21 you know, I really wasn't informed of anything. The
22 only time I talked to -- I think I talked to an FBI
23 agent one time when he was up at the office.

24 Q. Who would that person be?

25 A. Adam Smith I think is his name. Roland

1 Adam Smith is the agent.

2 Q. Roland Adam Smith?

3 A. Yes, sir.

4 Q. Okay. Go ahead.

5 A. And then pretty much after they, the MBI
6 and FBI took over the -- or did their investigation,
7 I really didn't -- wasn't really updated or anything
8 that I can remember by any of them. Not until --
9 really not until later on. Later on one of the
10 deputies involved came and met with Paul Holley and
11 Steve Godfrey and that was just like months later.
12 It was like June of that year and told them the
13 truth.

14 So that's how I actually found out the
15 truth about the case.

16 Q. Which deputy? Which deputy was that?

17 A. Hunter Elward.

18 Q. And you said later on he came to you or he
19 came to the other persons you named?

20 A. He met with Steve Godfrey and Paul Holley
21 and told them the truth and they came back and
22 related that to me.

23 Q. Was Elward -- at that time, was
24 Hunter Elward still employed with the Rankin County
25 Sheriff's Department?

1 A. Yes, he was still employed but he was
2 terminated the same day.

3 Q. What month was that?

4 A. It would have been June of '23.

5 Q. June of 2023?

6 A. Yes, sir.

7 Q. Okay. Let me ask you this. At that time
8 was Christian Dedmon still employed with the Rankin
9 County Sheriff's Department?

10 A. Yes, that day he was. But he was
11 terminated the same day also.

12 Q. Okay. I just want to -- was Deputy
13 Opdyke, was he still employed on that day?

14 A. Yes, but when I found out the truth, he
15 was terminated also.

16 Q. I understand the terminations. I just
17 want to know their status of employment at that
18 time.

19 So Deputy Dedmon was still employed in
20 June of 2023; is that correct?

21 A. Yes, sir, he was terminated in June of
22 2023.

23 Q. I get you on the termination. I'm just
24 asking you about the status at that time. I
25 understand -- I'll get to the termination.

1 I just want to know were they still
2 employed. When June of 2023 came around, I just
3 want to know which of these officers that were
4 involved in the Jenkins-Parker dispute were still
5 employed.

6 So Hunter Elward was still employed; is
7 that correct?

8 A. He was employed and terminated in June.

9 Q. Okay. Deputy Opdyke was still employed,
10 correct?

11 A. Deputy Opdyke was employed and terminated
12 in June.

13 Q. Okay. Deputy Dedmon was still employed;
14 is that right?

15 A. Yeah, employed and terminated in June.

16 Q. Lieutenant Middleton?

17 A. That's right. He was still employed until
18 I found out the truth that day and was terminated in
19 June.

20 Q. Okay. All of the officers that were
21 involved in the incident that were subsequently
22 convicted, they were all employed as of May 31,
23 2023; is that correct?

24 A. Yes, sir.

25 Q. Okay. Now in terms of communicating about

1 the lawsuit, have you spoken to the Department of
2 Justice about -- about the incident? Have you
3 spoken to the Department of Justice about what
4 happened in that specific incident?

5 A. No, we met with the Department of Justice,
6 but this specific incident wasn't discussed. The
7 best I can recall nothing was said about the
8 incident.

9 Q. In terms of your performance as the
10 Sheriff and how you have been supervising and
11 running the department, have you spoken with the
12 Department of Justice about that?

13 A. They -- we met with them, I can't remember
14 the date, a couple of months ago and they were
15 coming in to look and see how we operated things.
16 And, like I say, nothing was really discussed about
17 it. They were just going to come in and interview
18 people and see how we operate and get copies of
19 policies and procedures and stuff like that.

20 Q. Okay. Now when did that occur?

21 A. I can't remember. It's been a month or
22 two ago. I don't remember the exact date.

23 Q. A couple of months ago? A couple of
24 months ago, would that be accurate?

25 A. Yes, sir.

1 MR. DARE: He testified a month or two
2 ago.

3 THE WITNESS: Yeah.

4 Q. (By Mr. Shabazz) Okay. Who from the
5 Department of Justice did you meet with?

6 A. I can't remember all their names. It was
7 five or six of them. I can't remember their names.

8 Q. Can you remember any names?

9 A. No, sir, not off the top of my head.

10 Q. Okay. Do you have any records of that
11 meeting?

12 A. Yes, sir. Our attorney was there with us
13 and all the admin staff. We actually had more than
14 one meeting. There was a couple of meetings that
15 we've had with them. I think two or three meetings.

16 Q. So you had two or three meetings?

17 A. Yes, sir.

18 Q. Do you recall the name of any person from
19 the Department of Justice that you met with in those
20 several meetings?

21 A. No, sir. I would have to go back and
22 look -- and look the name up. Like I said, I met
23 them two or three times, but I can't remember their
24 names.

25 Q. If you went to look it up, where would you

1 look their names up from?

2 A. I'd probably get with my attorney because
3 I know that he was there and has the contact
4 information from them. I'd probably get the
5 information from him.

6 Q. Your attorney would be able to tell us the
7 persons you met with from the Department of Justice?

8 A. Some of them I believe he would be able
9 to, yes.

10 Q. Okay. And you stated that you supplied --
11 that you'd given -- am I correct that you -- that
12 you stated that you'd given the Department of
13 Justice a number of documents?

14 A. We're using the -- our attorney is the
15 go-between between the sheriff's office and
16 Department of Justice. So pretty much they've been
17 communicating with him and he's been supplying the
18 information that they requested.

19 Q. But you -- is it true that you've given
20 your attorney the documents that were supplied to
21 the Department of Justice?

22 A. No, sir, I didn't give him the documents.
23 No, sir.

24 Q. Okay. What was -- what's the source of
25 those documents that you gave the Department of

1 Justice?

2 A. Well, it wouldn't be such much the
3 documents, it would be computer files, like files.

4 Q. Which files? What files were given?

5 A. We'd have to ask him. See I know that it
6 was maybe some offense reports, some, maybe some use
7 of --

8 Q. What was that? What was that?

9 A. Offense reports.

10 Q. Offense reports?

11 A. Yes, sir. Offense reports.

12 Q. Tell me what an offense report is.

13 A. It's a report that's written when a deputy
14 responds to a call for service.

15 Q. What other reports -- what other reports
16 were given to the Department of Justice?

17 MR. DARE: I've got to object to the form,
18 simply because what relevance does that have to this
19 case, what was given to the Department of Justice?

20 MR. SHABAZZ: Okay. I mean, I understand
21 your objection, but you're still required to answer.

22 MR. DARE: And you're required to ask
23 relevant questions. So...

24 MR. SHABAZZ: The Department of Justice
25 has opened a pattern and practice investigation into

1 Rankin County as it respects to how it's been either
2 protecting or not protecting the constitutional
3 rights of the citizens. And so the documents that
4 -- and the meetings and the substance of them of
5 what has been discussed with and given to the
6 Department of Justice is directly related to the
7 core claims in this civil rights lawsuit, which has
8 many similarities to the pattern and practice
9 investigation.

10 So what I just want to get to is just
11 trying to figure out what was -- what are the
12 documents that were given to the Department of
13 Justice, so we just want to figure those documents
14 out so we may obtain them.

15 MR. DARE: You can answer if you know.

16 THE WITNESS: Yeah. I don't know
17 everything that was given to them. I believe it was
18 offense reports and some use-of-force reports, as
19 far as I know.

20 Q. (By Mr. Shabazz) Okay. Use-of-force
21 reports. Do you know what period of time those
22 use-of-force reports covered?

23 A. No, sir, I don't.

24 Q. Okay. Do you know how many use-of-force
25 reports were furnished?

1 A. I don't.

2 Q. But you supplied -- you're the one that
3 supplied the documents, correct?

4 A. No, sir, I haven't supplied anything.
5 They're on file at the sheriff's office.

6 Q. Okay. But you are -- you have ultimate
7 control of those documents?

8 A. I personally have not retrieved any of the
9 documents or things given to them.

10 Q. Who in your office did?

11 A. Again, the file -- the data would be on
12 the server, so I know that a lot of data was saved
13 to a hard drive and given to DOJ, but I don't know
14 exactly what all it was besides --

15 Q. Okay. But how did it get there? Which
16 person in your office was the one that supplied the
17 documents?

18 A. The IT department put them on a hard drive
19 and the hard drive was given to our attorney who
20 gave it to DOJ.

21 Q. Who directed the IT of which documents to
22 provide?

23 A. I guess Attorney Dare told them what he
24 needed and they put it on a hard drive.

25 Q. So you're saying Attorney Dare directly

1 communicated with your staff to gain these
2 documents?

3 MR. DARE: And just for the record, I am
4 counsel on the record for the Sheriff's Department
5 for the County in the ongoing Department of Justice
6 investigation.

7 MR. SHABAZZ: Okay.

8 Q. (By Mr. Shabazz) So are you saying that
9 Attorney Dare worked directly with your staff to get
10 the documents that were furnished to the Department
11 of Justice?

12 A. The IT department actually doesn't work
13 for me, so.

14 Yeah, but they were asked to put them on a
15 hard drive to supply to the Department of Justice.

16 Q. Okay. But were you aware of what was
17 being provided?

18 A. Yes, sir, I was aware that information was
19 being supplied to them. Yes, sir. I can't tell you
20 exactly what all information or the date ranges on
21 it, but, yeah, I'm aware that they were asking for
22 information and we were cooperating with them and
23 supplying it.

24 Q. And I understand you can't give me any
25 detail. But you've told me you've given -- you gave

1 offense reports, use-of-force reports. What other
2 documents were provided to the Department of
3 Justice?

4 A. I can't recall right now. I don't know
5 for certain what all was supplied to them.

6 Q. I know you can't know all for certain, but
7 do you remember more than just these two sets of
8 documents that you've described to me?

9 A. That's all I can remember right now.
10 There may be something else, but I can't remember.

11 Q. Okay. Did you provide them with a taser
12 reports, taser logs?

13 A. I don't know if they've asked for that
14 yet, I don't know if it's been supplied yet. Like I
15 said, the only thing I know is it was offense
16 reports and use-of-force reports. I really can't
17 remember what else has been asked for.

18 Q. Okay. But you and your attorney can
19 provide us with all of the documents that you
20 provided to the Department of Justice; is that
21 correct?

22 MR. DARE: You can answer.

23 THE WITNESS: I don't know if we can
24 provide to you the documents, but I know we can
25 provide possibly what all they asked for. Again, I

1 would have to go back and look and see what all they
2 asked for because I'm not certain.

3 Q. (By Mr. Shabazz) Okay. But will you go
4 back so we can have copies of that?

5 A. Will I what?

6 Q. Will you go back and be sure about -- and
7 review what was given to the Department of Justice
8 so that we may have copies of those documents?

9 MR. DARE: Counsel, if you'd like
10 documents from the sheriff's department, all you got
11 to do is ask. Now, if you're just going to ask for,
12 hey, we want everything from the Department of
13 Justice, I'm probably going to object and say ask
14 for specific documents.

15 So that sounds like a fight later on
16 between you and me and doesn't necessarily concern
17 this witness. But we can have that conversation.

18 MR. SHABAZZ: Okay. Not to get into a
19 sidebar with you, but we have asked for that. So
20 I'm only just trying to figure out here exactly, you
21 know, what the documents were so that we'll know --
22 have greater clarity on obtaining it. I'll move on.

23 Q. (By Mr. Shabazz) Okay. Now you say you
24 had several meetings with the Department of Justice,
25 correct?

1 A. No, it wasn't several. I think I met with
2 them two or three times.

3 Q. And in those three meetings, what was the
4 substance of the discussion of those meetings?

5 A. They explained why they were there, what
6 they were going to be doing, who they would be
7 talking to in the first meeting. And I remember the
8 second meeting was more the administrative staff.
9 Again, they went back over why they were there, what
10 they were going to be doing and who they wanted to
11 talk to and talked about doing ride-alongs.

12 And then I can't -- so I may have only met
13 with them twice. So that's for certain the two
14 meetings I know I was in with them.

15 Q. And what is the current status of the
16 Department of Justice investigation into Rankin
17 County?

18 A. I have no idea. We haven't -- I haven't
19 heard -- as far as I know we haven't heard from them
20 in a couple weeks. But I have no idea what their
21 status is.

22 Q. Okay. From your understanding from those
23 meetings, what do you understand that they would be
24 doing?

25 A. Reviewing data from the sheriff's office,

1 doing ride-alongs and interviewing deputies.

2 Q. Have they conducted any ride-alongs?

3 A. Yes, sir.

4 Q. Who did they ride along with?

5 A. I can't remember off the top of my head.

6 I would have to go back and try to find a list. But
7 it was -- I know they came a couple of times and
8 each time they'd ride with two or three deputies.
9 So it may be approximately -- probably around six
10 deputies they've ridden with.

11 Q. Okay. You would be able to tell us their
12 names if we ask your attorney?

13 A. Yes, sir.

14 Q. Who -- when they talked to you at first,
15 when they first had the meetings with you, who did
16 they tell you they wanted to talk to?

17 A. Well, at first they just said that they
18 were there for the -- to look into the patterns of
19 practice, but they -- we weren't being accused of
20 doing anything wrong and that they would be
21 interviewing different ones. And I know that
22 they've interviewed the deputies and I think maybe a
23 couple of jailers. And that's the only ones I know
24 they've interviewed so far.

25 Q. Okay. Now, we -- I'm still talking about

1 communications here, just with other persons about
2 either this incident or the lawsuit -- incident or
3 this lawsuit or related investigations. What other
4 law enforcement officials in your department have
5 you talked to about the Jenkins and Parker incident
6 or this lawsuit?

7 A. About the -- I mean, I can't remember
8 everybody I talked to. But the main ones I talked
9 to were the administrative staff, the attorney, you
10 know. The only other person I -- that I know
11 specifically I talked to about it was Chris Picou
12 who's over the K-9s.

13 Q. How do you spell Chris' name?

14 A. C-H-R-I-S, Picou, P-I-C-O-U.

15 Q. Uh-huh (affirmative response).

16 A. And, like I said, I can't remember who
17 else -- who else I talked to about it.

18 Q. Okay. Have you talked -- did you talk to
19 Brett McAlpin about what happened on January 24,
20 2023? Did you ever speak with him after January 24,
21 2023?

22 A. No, I didn't. And once or twice he came
23 in my office and he would start talking about it and
24 because the MBI and the FBI were investigating it, I
25 told him, I say, Brett, we don't need to talk about

1 this. This is being investigated by MBI and FBI,
2 I'm not going to talk to you about it. And so, he
3 never tried to talk to me again. And he really
4 wasn't talking about it, he would come in and say,
5 you know, this isn't right, it's a lie or something
6 like that and I would stop him. I said, you know,
7 Brett, I don't want to talk to you about it.

8 Q. So he came to your office how many times?

9 A. Maybe twice.

10 Q. Just on his own initiation?

11 A. Yes, sir.

12 Q. On his own initiative? Pardon me.

13 A. Yes, sir. Let me rephrase. He's been in
14 my office several more times, but it would be about
15 a case or something with the sheriff's office. But,
16 you know, once or twice he said -- he tried to bring
17 up something about the January incident and, again,
18 I stopped him and told him I couldn't talk to him
19 about it.

20 Q. Okay. So are you saying that you -- that
21 after January 24, 2023 that -- are you saying that
22 you and Brett McAlpin had regular meetings?

23 A. We had -- not regular meetings, but he --
24 they would -- he would come and tell me what was
25 going on, you know, within the sheriff's department.

1 If there was a case that I needed to know about or
2 some investigation that they were working on, he
3 would come tell me about it.

4 Q. So up until the time he was terminated,
5 about how many times did you meet with Brett McAlpin
6 after the Jenkins and Parker incident?

7 A. I'd say maybe once or twice a week or two
8 or three times a week.

9 Q. And he was the chief -- your chief
10 investigative officer, right?

11 A. Yes, sir.

12 Q. And he continued to function in that
13 office up until the time of his exit; is that
14 correct?

15 A. Yes, he did. And the reason he did is
16 because he lied to me about everything to do with
17 that night. He told me he wasn't even there. So he
18 lied the whole time.

19 Q. Okay. I'll come back to that.

20 And who ever else -- have you spoken to
21 like a spouse or partner about this lawsuit or a
22 lawsuit or what happened in Jenkins and Parker?
23 Have you spoken to a spouse or partner about this?

24 MR. DARE: Yeah, we'll go with the spousal
25 immunity on that one.

1 Q. (By Mr. Shabazz) Partner, friend,
2 relative?

3 A. I've talked to, you know -- again, this
4 has been going on for almost two years now and it's
5 taken a heavy toll on me. So I've talked to, you
6 know, different people about it, but, specifically,
7 which ones, it's going to be hard for me to tell you
8 or come up with a list of everybody that I've talked
9 to about it.

10 THE WITNESS: Did I do something? It
11 says, collaborate using zoom.

12 MR. DARE: No, he's still live.

13 MR. SHABAZZ: I'm sorry, what was that
14 last thing?

15 MR. DARE: No, there was something --
16 sorry -- and we can be off the record.

17 (Pause in proceedings.)

18 Q. (By Mr. Shabazz) Okay. So you said it's
19 been a couple of years and you've spoken to quite a
20 few people about it; is that right?

21 A. I wouldn't say quite a few, but I've
22 talked to several people. Not about details of it,
23 just about how it was a very stressful thing to go
24 through and what a bad situation it was.

25 Q. Okay. Well, can you elaborate on that?

1 You say it's a stressful thing to go through and
2 it's taken a toll on you, to paraphrase you. Can
3 you explain that?

4 A. Yes, sir. I'm elected by the people of
5 Rankin County to provide a safe community. And I
6 would hope that most people I have working for me
7 would have the same desire to serve the public and
8 protect the public like I do. And then I find out
9 that -- and it took months to find out, that five of
10 my guys actually committed crimes and just ruined
11 the reputation of the sheriff's office, ruined two
12 young men's lives.

13 And that's just a lot to take on when I've
14 really tried my whole career to make it a good
15 department. And I've always gotten a lot of
16 compliments. A lot of -- you know, I've been
17 reelected to the office, this is my fourth term.
18 And, you know, I was -- really thought that I had a
19 good department going until these individuals did
20 this and they lied to me about it. And then, again,
21 it took me six months to find out the truth or right
22 at six months.

23 So yeah, it was pretty stressful.

24 Q. Okay. Let's -- when were you first
25 elected as sheriff?

1 A. I took office in January of 2012.

2 Q. And you say you've been reelected four
3 times since then?

4 A. This is my fourth term, so, yeah.

5 Q. You're on your fourth term?

6 A. Uh-huh (affirmative response).

7 Q. Prior to being elected sheriff, what
8 position did you hold in sheriff's department?

9 A. I was the undersheriff.

10 Q. From what years?

11 A. For eight years.

12 Q. From, would you say, roughly 2004 to 2012?

13 A. Yes, sir.

14 Q. And prior to that what position did you
15 hold?

16 A. I was an investigator.

17 Q. In Rankin County?

18 A. Yes, sir. I was investigator for the
19 sheriff's office. I also worked for the Attorney
20 General's Office, Public Integrity Division for a
21 little while. But they kept me out of town too much
22 so I came up to -- back to the sheriff's office.

23 Q. When you were the undersheriff, what
24 sheriff did you serve under?

25 A. Ron- --

1 Q. What was that?

2 A. Go ahead.

3 Q. Who was the sheriff you served under from
4 2004 to 2012?

5 A. Ronnie Pennington.

6 Q. How you spell his name?

7 A. P-E-N-N-I-N-G-T-O-N.

8 Q. Rodney Pennington?

9 A. Ronnie, R-O-N-N-I-E, Ronnie.

10 Q. Ronnie Pennington. From 2004 to 2012?

11 A. Uh-huh (affirmative response).

12 Q. So back to when you were undersheriff up
13 until now, if you wanted to access your personnel
14 file, could you?

15 A. My personnel file at the sheriff's office?

16 Q. Yes.

17 A. Yes, sir.

18 Q. And you do have possession of your
19 personnel file?

20 A. Yes.

21 Q. Is that going back to 2004?

22 A. It would be prior to that. I started at
23 Rankin County, I think it was January of '96 maybe.

24 Q. '96?

25 A. Yes, sir. And I was there --

1 Q. You could --

2 A. Go ahead.

3 Q. No, go ahead.

4 A. I was there until maybe sometime in '97 I
5 went -- I can't remember the dates, but sometime
6 during my career I went to the Attorney General's
7 Office, Public Integrity Division and I came back to
8 the sheriff's office and have been there ever since.

9 Q. If you wanted to access your disciplinary
10 records since you began, could you?

11 A. Yes, sir. I don't think I have a -- I
12 don't think there's anything in my file on
13 discipline.

14 Q. Okay. Now, once you were elected sheriff,
15 did Rankin County Board of Supervisors or its
16 leadership, did they have any other procedures or
17 way to assess your qualifications to run the
18 department?

19 A. Board of Supervisors doesn't have anything
20 to do with my qualifications of running the
21 department. But the State law says -- states my
22 qualifications to be elected or to take office.

23 Q. I understand what the State law says and I
24 understand you're elected.

25 But I just wanted to know, does Rankin

1 County have any -- anything in place that assesses
2 your qualifications to be the sheriff?

3 MR. DARE: And for Rankin County, are you
4 referring to the Board of Supervisors or are you
5 referring to the sheriff's department?

6 MR. SHABAZZ: I'm speaking to the Board of
7 Supervisors or any county leadership outside of the
8 sheriff's department?

9 THE WITNESS: No, sir, I'm separate from
10 the Board of Supervisors. The only thing they do is
11 provide my funding I'm elected separately from them.
12 I have my own office.

13 Q. (By Mr. Shabazz) I understand the
14 structure. But I'm asking you, does the Board of
15 Supervisors or Rankin County have anything in place
16 to assess your qualifications or assess your
17 performance while they are funding?

18 A. The Board -- Rankin County Board of
19 Supervisors has no authority over the sheriff's
20 office besides my funding. They have to provide my
21 funding. Financial, that's the only thing they have
22 anything to do with the sheriff's office, is approve
23 my budget every year and approve the training.

24 Q. You say "only," but funding is pretty big,
25 isn't it?

1 A. Well, I mean, it's not big enough. I
2 could always use more.

3 Q. You can't operate, you can't -- you can't
4 do anything without funds; is that correct?

5 A. That's right.

6 Q. So, just for example, how much was your
7 budget in the last fiscal year?

8 A. I would have to go back and see, but maybe
9 19 or 20 million.

10 Q. So just in the last fiscal year Rankin
11 County Board of Supervisors allocated you
12 \$20 million?

13 A. Yeah, that may not be the exact number
14 because it changes every year.

15 Q. Approximately 20 million?

16 A. Uh-huh (affirmative response).

17 Q. And are you telling me that in giving you
18 this \$20 million that there's no stipulations or
19 review of how you're operating the department when
20 you receive that approximately \$20 million?

21 A. No, sir. The State law says that they
22 have to supply my money for the budget. And that I
23 spend that money -- you know, I submit a budget to
24 them. I spend that money on my budget. But outside
25 of that, they have no -- nothing to do over the

1 sheriff's office.

2 Q. So they just give you the money regardless
3 to your performance; is that correct?

4 MR. DARE: This has been asked and
5 answered now, at least, 10 times.

6 MR. SHABAZZ: How is it 10 times? I just
7 started this.

8 MR. DARE: You've asked the exact same
9 question now 10 different ways. And just because
10 you don't get the answer you like doesn't mean you
11 get to ask it again. He's answered the question.

12 MR. SHABAZZ: I get --

13 MR. DARE: He's answered this question.
14 And I would -- he can answer it again one more time
15 but then you need to move on. Because I'm going to
16 instruct him not to answer the exact same question
17 over and over and over again.

18 MR. SHABAZZ: Well, I disagree with your
19 characterization with that.

20 MR. DARE: Understood. But you have asked
21 the question a bunch of times. Ask it in a
22 different way if you want, but, you know, I'm going
23 to continue to object to asked and answered.

24 Q. (By Mr. Shabazz) Does the Board of
25 Supervisors exercise any authority over you for

1 giving you that approximately \$20 million?

2 A. I'm elected separate from the Rankin
3 County Board of Supervisors. The people of the
4 County elect me. I'm accountable to the people of
5 Rankin County.

6 The State law says that the Board of
7 Supervisors funds my department. So each year I
8 submit a budget request, they give me what they --
9 what they agree to on my budget and I have to spend
10 that money throughout the year.

11 Now if something happens and I need more
12 money, then I have to go back before them. I've had
13 to change some money between lines for like inmate
14 medical or something like that, I have to ask for
15 more money. Then I have to go back before the Board
16 and ask them.

17 And the only other thing they have
18 authority over is if me or any of my deputies or
19 jailers go out of town for training, they have to
20 approve the out-of-town travel, the meals, the
21 lodging and stuff like that. Again, all financial
22 stuff.

23 Q. Okay. Now I want to -- from my
24 understanding that you meet monthly with the Board
25 of Supervisors; is that correct?

1 A. It's -- most of the time it's two to three
2 times a month.

3 Q. You meet with them two to three times a
4 month?

5 A. Uh-huh (affirmative response).

6 Q. And all of those meetings are -- the notes
7 are -- the minutes are online; am I correct?

8 A. Yes, sir, I think there are videos -- I
9 think they video each meeting and it's -- I think
10 it's available online through their website.

11 Q. So there's a video of each meeting also.
12 And from my understanding sometimes you
13 all go into what's called executive session; is that
14 correct?

15 A. Yes.

16 Q. Okay. And when do you go into executive
17 session? What -- when do you go into executive
18 session?

19 A. I don't go into executive session. I have
20 no authority to go into executive session. It's the
21 Board, the five Board of Supervisors votes or makes
22 a motion to go into executive session and they go
23 into executive session.

24 Q. Are you in those meetings?

25 A. Yes, sir. Well, not all of them.

1 Sometimes I have to get a substitute to go in my
2 place.

3 Q. But you are in some of those meetings of
4 executive session?

5 A. Yes.

6 Q. Okay. And what happens in those meetings?

7 A. Well, the reason they go into executive
8 session most of the time is either for land
9 acquisition, personnel, lawsuits, different things
10 like that where the law allows them to go into
11 executive session.

12 Q. And are those meetings recorded?

13 A. I don't think the excessive session part
14 is. Now, if they agree on something in the
15 executive session and come out of the executive
16 session, if they took any action, they have to put
17 it on the minutes then, on the video. So after the
18 executive session, if they do anything it would be
19 on that video, if they take any action.

20 Q. And are there minutes taken in those
21 executive session meetings?

22 A. I'm not sure. That would be a question
23 for the chancery clerk. They keep the minutes of
24 the meetings.

25 Q. Do you take any notes in those meetings?

1 A. No, sir.

2 Q. And who's in those meetings, again?

3 A. Let me clarify to you, the State
4 statute -- the State law says I'm required, the
5 sheriff or his designee must attend the Board
6 meetings. So that's why I'm there to start with.

7 And then so you'll have the five, if all
8 of them are present, the five supervisors, the
9 county administrator, the county attorney, the -- or
10 the board attorney, not the county attorney, the
11 chancery clerk or his designee. Most of the time
12 that's it, unless they have to bring in a -- like on
13 the land acquisition, sometimes they'll bring in
14 somebody that's trying to buy land for a
15 right-of-way for the County and that person will
16 discuss that with them in there, you know, things
17 like that. But most of the time that's who's inside
18 there. The supervisors, chancery clerk and county
19 administrator, board attorney and then whoever is
20 involved with the executive session.

21 MR. SHABAZZ: Okay. I think what I want
22 to do is come with my first exhibit and that's
23 Rankin Supplemental Responses. Rankin County
24 Supplemental Responses to Plaintiff's
25 Interrogatories.

1 MR. DARE: Are those going to be Exhibit 1
2 to your deposition?

3 MR. SHABAZZ: Yes. This is going to be
4 marked as Exhibit No. 1.

5 MR. DARE: Okay.

6 (Exhibit 1 marked for identification.)

7 MR. DARE: Counsel, he has in front of him
8 Rankin County Supplemental Responses to Plaintiff's
9 First Set of Interrogatories marked as Exhibit 1 to
10 this deposition.

11 MR. SHABAZZ: Okay. And I want to go to
12 page 2. If we could show him page 2. Are we
13 putting this on the screen or how are we working it?

14 MR. DARE: He's got it in front of him.

15 MR. SHABAZZ: Okay.

16 Q. (By Mr. Shabazz) So I want to direct your
17 attention to page 2 at the bottom, supplemental
18 response. Well, actually strike that.

19 I want to direct your attention to
20 Interrogatory No. 3. Do you see that, Mr. Bailey?

21 A. Yes, sir.

22 Q. It says, identify all persons responsible
23 for monitoring the action of the Rankin County
24 Sheriff's Department on behalf of the County.

25 Do you see that question?

1 A. Yes, sir.

2 Q. Now, when you answered, you answered
3 that -- do you see supplemental response at the
4 bottom?

5 A. Yes, sir.

6 Q. You stated that, Rankin County monitors
7 the action of the Rankin County employees working at
8 the Rankin County Sheriff's Department through,
9 several persons. It says though Wayne Carter, the
10 Training Director DeMartino, supervisors, not
11 limited to you, but Barry Vaughn, Brian Whittington,
12 Fred Lovette, jail administrator, Darrell Barnett.
13 Those persons you named earlier?

14 MR. DARE: Daniel Barnett.

15 THE WITNESS: Daniel Barnett. Yes, sir.

16 Q. (By Mr. Shabazz) Okay. These are the
17 persons that monitor the actions of the Rankin
18 County Sheriff's Department?

19 A. Yes, sir, they're all in the supervisory
20 positions. Yes, sir.

21 Q. Okay. Now, is there anybody outside of
22 the sheriff's department in Rankin County, such as
23 the Board of Supervisors or its leadership, that
24 monitors the actions of the sheriff's department?

25 A. No, sir. We're separate from the Board of

1 Supervisors. I'm elected separate from all the
2 supervisors. All they do is provide me funding.

3 Q. I got that. I get that answer. I get
4 that.

5 So all of your -- all of your actions are
6 monitored within the sheriff's department's chain of
7 command; is that right?

8 A. Well, that, and I mean, like I said
9 before, I'm directly accountable to the public,
10 every four years I'm elected. So if I don't do a
11 good job I'm not going to get reelected.

12 So I'd say number one I'm directly
13 accountable to the people of Rankin County. And
14 then within the department, these different
15 supervisors monitor the sheriff's office.

16 Q. But other than that, unless it's election
17 time, when it comes to monitoring your department,
18 is it true that the buck stops with Bryan Bailey?

19 A. Yes, sir. I'm the sheriff, yes, sir.
20 It's my department.

21 Q. Okay. So you determine, ultimately,
22 whether you're in compliance or not outside of
23 elections?

24 A. No, the election is a daily thing. It's
25 not every four years. The election goes on daily.

1 And when you're in a county office like this you
2 have to do a job, you know, try to do a good job
3 every day.

4 But I guess I'm confused on what you're
5 asking as far as -- I'm the sheriff, but yeah, I
6 have all these supervisors who are supposed to help
7 me keep this going the correct way.

8 Q. But they're under your chain of command,
9 correct?

10 A. Yes, sir.

11 Q. And there is not -- an election does not
12 occur every day, does it?

13 A. Yes, sir, in my eyes it does. Yes, sir.

14 Q. But, formally, there is no daily election,
15 is there?

16 A. No, sir. But again, I campaign every day.

17 Q. But that's politics.

18 A. No, sir, it's not politics. I try to do a
19 good job for the people of the county so they'll
20 continue to, you know, elect us. And I actually
21 live there, so I want to keep it a safe place to
22 live and work.

23 Q. The public really -- the public -- would
24 you agree that the public does not know whether the
25 Rankin County Sheriff's Department is abiding by the

1 United States Constitution and State law? Would you
2 agree? The public --

3 A. I would think that overall, yes, sir, we
4 abide by it. Now when you have an incident like we
5 had in January of '23 when I, you know, had five
6 sworn officers lie to me and commit the crimes they
7 did, yeah, that's going to affect the public. It
8 has affected the public, it's affected the
9 department.

10 So, you know, yeah, I have still been
11 accountable to the citizens of Rankin County during
12 all of this. Because believe me, I've had, you
13 know, a lot of people --

14 Q. So at --

15 A. Go ahead.

16 Q. At the end of the day, you're monitoring
17 yourself?

18 A. Myself along with the admin staff monitor
19 the sheriff's office daily. Yes, sir, we try to
20 monitor it daily.

21 Q. Now what I want to -- I'm trying to get
22 a -- can you -- my Exhibit No. 2 is going to be an
23 organizational chart. And I want to go to page 4 of
24 that.

25 MR. DARE: We need to have it marked.

1 Hang on real quick. We can go off the record.

2 (Off the record discussion.)

3 (Exhibit 2 marked for identification.)

4 Q. (By Mr. Shabazz) Do you have that in front
5 of you, this org chart administration?

6 A. Yes, sir.

7 Q. Okay. When was this chart developed?

8 A. I'll have to look at the -- it's dated
9 November 20th, 2023.

10 Q. Okay. Did you have an org chart for your
11 department prior to this date?

12 A. I don't remember if I had one like this or
13 not. I don't remember, to be honest with you.

14 Q. Okay. So why was this chart developed?

15 A. It was recommended by somebody that we do
16 it, so I approved it. I don't -- I really can't
17 remember why it was redone.

18 Q. Redone? So do you have a previous
19 organizational chart?

20 A. That's what I'm saying, I don't remember
21 if there's a previous one in the old one or not. I
22 would have to check on that and let you know. I'd
23 have to research it. I don't remember if there was
24 actually a chart in there or not.

25 Q. Okay. So right now this is the only org

1 chart that you've operated by; is that right?

2 A. This is the only one I have in front of me
3 that I remember. I can't remember if we had another
4 one or not. It seems like that we did, but I'd
5 hate -- I'm trying to answer truthfully to you. So
6 I don't remember, I would have to research that and
7 let you know.

8 Q. Okay. So who recommended that you put
9 this -- who recommended that this chart be a part of
10 your operations?

11 A. I can't remember at this time, but I can
12 find out.

13 Q. You can't remember who helped you to
14 produce this chart?

15 A. No, sir, I can't remember who actually did
16 the chart. No, sir. I would have to check with the
17 admin staff and see.

18 Q. Okay. But you helped produce this chart,
19 correct?

20 A. No, sir, I didn't produce it. Somebody
21 came up with it and recommended it and I approved
22 it. Again, I would have to check back and see who
23 came up with it.

24 We've had a lot going on the past two
25 years and made some changes and I would have to look

1 back to let you know exactly who made this up.

2 Q. Okay. But now as the -- as the lead
3 officer of the sheriff's department and the
4 supervisor, the structure of your department is
5 critical to your job, isn't it?

6 A. Yes, sir.

7 Q. So this organizational chart represents
8 the actual structure of the department that you're
9 supervising, correct?

10 A. Yes, sir. Right now, yes, sir.

11 Q. So this is something that you had a key
12 role in developing; is that right?

13 A. Well, they made recommendations. Like the
14 whole compliance division is new. We didn't have
15 that before, so we have it now.

16 So again, I'd -- like I said, I would have
17 to go back and find the old, if we have the old one
18 or if it was worded in the policy to let you know
19 exactly what it said. I can't remember right now.
20 I don't have a photographic memory of what the old
21 one said or if there was a chart in there.

22 Q. So you do have an old one? You've
23 referenced that several times. You do have an old
24 one, you said that?

25 A. I just said I don't know. I mean, I've

1 said that three times. I do not know if there's an
2 old one actually in the policy and procedure. I'm
3 trying to answer your questions the best of my
4 ability. And if I'm telling you I don't know, I
5 don't know. I don't know if there's actually one in
6 the policy or if it's just worded in the policy.
7 I'll be glad to check on it and let you know.

8 Q. I'm not going to get stuck on that. I'm
9 not going to get stuck on it. I just know you said
10 old several times, so I'm taking that to mean that
11 there was one. But it's okay.

12 Let's go to compliance division.

13 A. Yes, sir.

14 Q. You say that's a new department?

15 A. Yes, sir.

16 Q. Okay. How did -- how did you come about
17 putting in place the compliance division?

18 A. You know after what happened in January of
19 2023 with Mr. Jenkins and Mr. Parker, it was obvious
20 the system that I had wasn't working. You know, I
21 had faith and trust in people to do the right thing.
22 And we had been doing the use-of-force reports, the
23 reviewing offense reports, everything I thought that
24 needed to be done to -- for a check and balance.

25 But after what happened with Mr. Jenkins

1 and Mr. Parker it was obvious that I have to come up
2 with something else for the checks and balances.

3 So it was decided that we'd have a
4 compliance director. And that would be
5 Wayne Carter. And he started this job in -- he was
6 an investigator before. He started being compliance
7 director in maybe June -- mid 2023.

8 So what his job is, is to -- he's
9 independent of any of the departments, any other
10 division. And his main job is to review
11 use-of-force reports and review -- randomly review
12 body-camera video.

13 And more or less, he comes behind the
14 supervisors where we didn't have that before. I was
15 trusting my supervisors to review and make me aware
16 of things. Well, now he comes behind the
17 supervisors. Like a lieutenant is supposed to check
18 so many videos. Then the captain of patrol checks
19 so many videos. And then the compliance director,
20 he checks behind the captain randomly. And he
21 checks pretty much every incident involving
22 use-of-force, reviews it.

23 And then with him there's also a part-time
24 person, Mr. Eric Redd, who assists him with the
25 video, but he also does the background

1 investigations on new applicants.

2 Q. Okay. So back to what you said earlier,
3 so are you saying that you recognize that after what
4 happened to Jenkins and Parker, that your department
5 was not running -- being run right, is that what you
6 are saying?

7 A. No, sir, I'm not saying that. I'm saying
8 I thought I was running a good department. I mean,
9 when I first got elected, I'm the one that started
10 the use-of-force reports and keeping them on file.

11 And, you know, you would think that
12 somebody in law enforcement would have close to the
13 same values and morals that I did. And so, you
14 know, when you have a supervisor, a chief
15 investigator that lied to me and covered up and
16 committed crimes and covered up for other people.
17 Then it's obvious to me then that, you know, I had
18 to have something else besides just trust in my
19 fellowman. And so that's why we came up with this
20 is trusting, but verifying now.

21 Q. Okay. So you recognize you had serious
22 systemic problems in your department when you
23 created the compliance division?

24 A. No, sir, I didn't recognize serious
25 systemic problems. I've never heard of anything

1 like this happening before. I've never had
2 complaints like this before of what happened in
3 January of '23. Never in my whole career have I
4 heard or seen of anything like that.

5 And, again, these five guys that I trusted
6 completely lied to me. And so based on that one
7 incident I see that we had to come up with something
8 else for checks and balances.

9 Q. You had to change your system; is that
10 right?

11 A. Not change the system, we added to it.

12 Q. I think the previous -- it seems like your
13 previous -- your previous system of operations was
14 trusting -- trusting the people who you later say
15 lied to you. Seems it was based on a trust system
16 rather than a system that goes beyond trusting the
17 individual?

18 A. I said -- I understand what you're saying.
19 But it was one person, the chief investigator who I
20 had trust in to do the right thing and he failed --
21 failed at that. And based on that we sort of added
22 to the checks and balances.

23 So, I mean, over all these years I've
24 never had a complaint of the crimes that they
25 committed against the two individuals. I've never

1 had anything like that being reported. It has never
2 been investigated by the FBI, never received
3 anything from them.

4 So, like I said, I don't know how it could
5 have been wide-spread if we didn't get more
6 complaints from outside and inside the department.

7 But I'm telling you that based on what
8 happened with that incident with the body cameras,
9 the use-of-force, the crimes that were committed by
10 those deputies, that this compliance division, in
11 our opinion, needed to be added as a check and
12 balance for our whole system.

13 Q. Okay. I'll come back to that.

14 Now you speak to making these changes as a
15 result of what happened to Michael Jenkins and Eddie
16 Parker.

17 You're familiar with the case of
18 Mr. Schmidt; is that right?

19 A. No, sir. Mr. Schmidt?

20 Q. Right. Alan Schmidt.

21 A. Do you have a offense report or something
22 on that?

23 Q. No. Mr. Schmidt was a part of the guilty
24 pleas of your officers, not only were they guilty of
25 the crimes that they committed against

1 Michael Jenkins and Eddie Parker, but also what
2 happened in December of 2022 to Mr. Schmidt.

3 A. Was that the incident on the side of the
4 interstate?

5 Q. Yes.

6 A. Okay. I know what you're talking about
7 now. Yes, sir.

8 Q. Okay. Did that incident have anything to
9 do --

10 A. Yes, sir, along with this, you know, we
11 turn around and investigated that incident
12 internally and took action on a deputy that was
13 still -- at that time was still employed, took
14 action on him. But, yes, sir, that would have
15 something to do it with it.

16 Also, again, the compliance director
17 reviewing body-camera video and use-of-force
18 reports.

19 Q. Okay. I'll come back to that.

20 So compliance division here consists of
21 the compliance director and internal affairs
22 investigators.

23 Who are -- the current internal affairs
24 investigator is who?

25 A. Right now it's Tyler -- Christopher

1 Cousins and Tyler -- my mind just went blank.

2 Investigator Tyler. I'll think of his name in just
3 a second.

4 Q. Investigator Tyler, T-Y-L-E-R?

5 A. Yes, sir, that's his first name.

6 Tyler Vernell and Chris Cousins.

7 Q. And you call these your internal affairs
8 investigators?

9 A. Yes, sir.

10 Q. When were they placed in that position?

11 A. I would have to go back and look when --
12 Tyler, we actually hired him from the Attorney
13 General's Office, Public Integrity Division. And
14 I'd have to look back and give you a date on him
15 when he started at the sheriff's office.

16 Q. Was it after what happened to
17 Michael Jenkins and Eddie Parker?

18 A. I can't remember. I'd have to go back and
19 look and see.

20 Q. What about Mr. Cousins?

21 A. Mr. Cousins, he's been there, he's been
22 with the department for a long time.

23 Q. Serving in which position?

24 A. Well, he started out as a detention
25 officer then worked his way up to -- went to the

1 academy and was a deputy and then went to
2 investigations.

3 Q. In terms of internal affairs
4 investigations, when did -- when was that office
5 established?

6 A. I mean, there's not really an office. I
7 mean, they fall up under them now, when the
8 compliance director finds something, he -- if he
9 thinks it needs to be looked at he refers it to him.
10 But we've had internal investigations before. My
11 whole time as sheriff --

12 Q. I'm sorry, I cut you off. Go ahead.

13 A. I said we've had internal investigation --
14 internal investigations for -- I mean, my whole time
15 as sheriff, there's been, you know, somebody
16 available to do an internal investigation.

17 Q. So do you -- do you know when Mr. Tyler
18 and Mr. Cousins started, began as your internal
19 investigators?

20 A. I would have to go back and look to give
21 you a specific date.

22 Q. Do you know who served in that position
23 prior to them serving as your investigators?

24 A. Steve Godfrey, a retired FBI agent that we
25 hired --

1 Q. Okay.

2 A. -- he did that. But again, we wouldn't
3 get that many internal affairs complaints. So Steve
4 was over like the SRT team, over some training and
5 the internal affairs.

6 Q. But are you stating to me that Steve
7 Godfrey was your internal affairs investigator?

8 A. Steve Godfrey did several of the --
9 several -- he did some of the internal affairs
10 investigations. I can't remember if he did all of
11 them or if somebody else did some of them. I would
12 have to research it and see.

13 MR. SHABAZZ: I want to show you what
14 we're going to mark as Exhibit No. 3. And this is a
15 deposition that you took in the Monica Lee case.
16 The case of Damien Cameron, Monica Lee being his
17 mother.

18 Do you have that, Trent?

19 MR. WALKER: I'm checking for it now.

20 MR. DARE: While he's looking for that,
21 would this be a good time to take a quick break?

22 MR. WALKER: Absolutely would.

23 MR. DARE: Counsel, do you mind going off
24 the record?

25 MR. SHABAZZ: No, I don't mind.

1 (Off the record.)

2 (Exhibit 3 marked for identification.)

3 Q. (By Mr. Shabazz) Chief Bailey, we're back
4 on the record.

5 A. Yes, sir.

6 Q. Can you hear me?

7 A. Yes, sir.

8 Q. Now, on page 30, line 17, do you see that
9 on the exhibit, the deposition transcript?

10 A. Yes, sir.

11 Q. On line 17 I asked a question, I said,
12 Okay, now you said you had an internal affairs
13 person assigned.

14 And your answer was, Yes, sir, at that
15 time I had an internal affairs investigator.

16 You see that?

17 A. Yes, sir.

18 Q. And I said who was that and you said Steve
19 Godfrey; is that right?

20 A. Yes, sir.

21 Q. Okay. And if you -- and if you turn -- if
22 you look at page 31, which is down the page. And on
23 17 of 31 I asked -- I said, But he was not called
24 your internal affairs officer, was he?

25 You see that?

1 A. Yes, sir, Steve Godfrey -- we're talking
2 about Steve Godfrey doing internal affairs? Yes,
3 sir.

4 Q. Yes, talking about Mr. Godfrey.

5 And then you said, Well, yes -- you said,
6 Well, yeah, he was. I'm telling you he is the one
7 called to do internal affairs investigations at that
8 time.

9 A. Okay.

10 Q. You see that?

11 A. Yes, sir.

12 Q. And so your testimony today is that
13 Steven Godfrey was your internal affairs officer at
14 the time of Damien Cameron's death; is that right?

15 A. Yeah, I'll have to look back and see when
16 he left. I can't remember when Steve left the -- he
17 retired. I don't know the exact date that he
18 retired. But yeah, Steven was doing internal
19 affairs investigations in previous years.

20 Q. Was he your internal affairs director at
21 the time of the Michael Jenkins-Eddie Parker
22 incident?

23 A. Again, I would have to check and see when
24 Steve -- he retired and I can't remember exactly
25 when. I think it may have been in '23, but I don't

1 remember the exact date.

2 Q. But it was after Michael Jenkins and
3 Eddie Parker?

4 A. I think so, yes. But, again, I would have
5 to give you an exact date.

6 Q. Now, if you came to understand that
7 Steven Godfrey denies that he was your internal
8 affairs officer or director, what would your
9 response be?

10 A. That's what I -- one of the things,
11 whenever I hired him, that's what we talked about
12 him doing, internal affairs for me. I know he had
13 investigated some in the past, he definitely
14 investigated some. He may not have been the only
15 one, there may have been others. I'd have to go
16 back and research it and see. But, no, he did
17 internal affairs.

18 Q. But -- so if he denies that, your response
19 is?

20 MR. DARE: Asked and answered.

21 THE WITNESS: Yes, that's part of the
22 reason I hired him was for internal affairs,
23 investigations is why I initially hired him.

24 Q. (By Mr. Shabazz) Now are you saying that
25 you had an internal affairs department in place at

1 the time of the Jenkins and Parker incident?

2 A. No, sir, we're not big enough to have a
3 whole internal affairs department, you know, for
4 full-time investigators. That's why the -- even the
5 ones now are part-time investigators.

6 Because if you remember before during this
7 deposition I just told you a minute ago that Steve
8 Godfrey was over the SRT team training and did some
9 internal affairs. Do you remember that?

10 Q. I remember that.

11 A. Okay.

12 Q. But you have a formal internal affairs
13 investigation team now; is that right?

14 A. I just told you I don't have a full-time,
15 the two investigators are part-time. The compliance
16 director and his part-time person are full-time in
17 the compliance department. If they come across
18 something that needs to be looked at, they turn it
19 over to the internal affairs investigator or if we
20 get a complaint now -- we have an online complaint
21 system now where all the complaints are filled out
22 online. Even if somebody walks in the office, an
23 investigator or somebody fills out the complaint
24 form. And now all complaints are seen by all the
25 admin and action is taken on every single complaint.

1 It's not just going to one person now.

2 Q. So did you have that online complaint
3 system in place when the incident happened between
4 Michael Jenkins and Eddie Parker?

5 A. No, sir.

6 Q. What was your complaint system at that
7 time?

8 A. At that time when a complaint would come
9 in and if it was -- like if I talked to somebody on
10 the telephone, they called in and complained, I'd
11 write down the information. And then I'd go to the
12 department head of that employee that was being
13 complained on and ask them to look into it and
14 report back to me if they found anything to it.

15 So if it was patrol, it would go to the
16 captain of patrol. If it was the jail, it would go
17 to the jail. And then, of course, I would get
18 letters from the jail complaining about the jail and
19 I'd give them to the jail administer to look into
20 it.

21 Q. So you relied on just a person just
22 writing information and giving it to your department
23 to make a complaint?

24 A. Yes, sir. I wouldn't rely on the -- if a
25 call came into me, I'd collect it. If it came into

1 the front desk and they told me about it then we
2 would refer it to the department head to look into
3 it.

4 Q. So do you have any written procedures
5 regarding your complaint process at the time of the
6 incident between Jenkins and Parker?

7 A. I'd have to go back and look and see. I
8 don't remember if we had anything in the policies or
9 not. But we do now.

10 We've made it a lot easier for the public
11 to file a complaint online or in person at the
12 sheriff's office.

13 And again, now we're logging and tracking
14 every single complaint, whether it's valid or not,
15 we still have a log of every single complaint that's
16 coming in.

17 Q. So you're now -- you have official
18 procedures and logging complaints now; is that
19 right?

20 A. Well, I had official procedures before,
21 but now this makes everybody more accountable.
22 Because there's one area for all these complaints to
23 go to where everybody can see them. Everybody knows
24 about them now, instead of just that department
25 head. More than one person knows about the

1 complaint.

2 Q. But previously none of these systems you
3 have now were in place at the time of what happened
4 between Jenkins and Parker?

5 A. Yeah, I told you I had a system in place
6 where the complaint would come in and would go to
7 the department head and they were supposed to
8 investigate it and take -- either let me know if it
9 was substantiated or not and take action.

10 So, yeah, there was a system in place.

11 Q. These systems that you have in now was not
12 in place; is that right?

13 A. Right.

14 Q. And if a person was to make a complaint
15 before, I mean, do you have a -- do you have any, is
16 it in your policies or any official documents what
17 the complaint system was at the time of the incident
18 between Jenkins and Parker?

19 A. I'd have to go back and look and see if
20 there is a policy or not.

21 Q. But right now you cannot state a policy;
22 is that right?

23 A. No, I have a policy now, or I have a
24 system now. I don't know if there -- I don't know
25 if there's a policy.

1 Q. I'm talking about then. Did you have a
2 policy regarding complaints and how they would be
3 handled by your department?

4 A. I would have to research that and find the
5 policy and procedure and give it to you.

6 Q. But you don't have that right now, right?

7 A. Not with me, no.

8 Q. And you don't know about it, do you?

9 A. I'd have to go back and research it.
10 There's a whole bunch of policies and procedures for
11 the sheriff's office and I can't remember each one
12 specifically.

13 And as I told you, we've made several
14 changes throughout the past two years to our
15 policies and procedures, so I don't want to give you
16 incorrect information.

17 Q. But you would agree that a citizen making
18 a complaint about a violation of their civil rights
19 or police procedure by an officer, that that's one
20 of your most important jobs; is that right?

21 A. My most important job is to protect
22 everybody, the public, civil rights violation my --
23 you know, to protect everyone. And you know, I did
24 that to the best of my ability and I thought -- with
25 a system that I thought was working.

1 And, again, now we've added more checks
2 and balances to the complaint system where now more
3 people are seeing it and action is -- some type of
4 action is taken on, I can't say each complaint, but
5 each complaint is evaluated by more than one person.

6 Q. Because previously your complaint system
7 was not working effectively; is that right?

8 A. No, sir, I had no complaints. I can't
9 remember -- like I say, I've never been contacted by
10 the FBI or the Attorney General's Office. As far as
11 I know it was working fine, until again, these five
12 guys took this situation and lied to me and just
13 broke all the trust that I had.

14 Q. Did you have a formal complaint form in
15 place at the time of Michael Jenkins and
16 Eddie Parker's incident?

17 A. No, sir. If it rose to -- if it was a
18 substantiated complaint, if there had been an
19 offense report written in the offense report system
20 or if it was serious enough it would be referred to
21 the FBI or attorney general's office.

22 Q. But I'm saying, did you have a -- the
23 direct question is, did you have a complaint form
24 for a member -- a citizen to fill out to make a
25 complaint against a member of your department at

1 that time?

2 A. Yes, sir. And that's what I'm telling
3 you, the form would actually be an offense report,
4 would be filled out about the complaint. If it was
5 substantiated, if it looked like there was something
6 to it that needed to be investigated then an offense
7 form would be filled out. And then if it was
8 serious allegations, then it would be referred to
9 the FBI or the attorney general's office.

10 And I referred many people to -- that
11 called in and complained on different things. And,
12 you know, and even then we'd refer them to the FBI
13 and to the attorney general's office.

14 Q. But do you have a -- did you have -- I get
15 the offense report. Are you saying your offense
16 report is your complaint form?

17 A. It would have been if the complaint would
18 have been substantiated, if there had been something
19 to the complaint once the supervisor looked into it.

20 Q. Okay. You said substantiated. But how
21 does the complaint originate? How would the
22 complaint originate at the time of the incident of
23 Jenkins and Parker? How would your complaint
24 originate?

25 A. If the complaint -- if it's a phonecall

1 then the information would be taken over the phone
2 and referred to the department supervisor. Or if it
3 was in-person, then they would talk to an
4 investigator or a deputy up there and again it would
5 be referred to a supervisor.

6 And then, the very few times that I was
7 contacted directly with actual evidence of a deputy
8 and a civil rights violation, I self-reported it to
9 the FBI.

10 Q. Okay. So -- and do you have any of this
11 written down as a formal procedure?

12 A. Again, I'd have to go back and look and
13 see what our policy at that time said. I don't have
14 it memorized. I'd have to research it and let you
15 know what it says.

16 Q. Okay. And do you have a -- are those
17 different phonecalls and ad hoc methods of
18 reporting, do you have a record of the complaints
19 that came in through those various methods?

20 A. So the complaint would come in, it would
21 go to their department supervisor. If it was
22 substantiated, then, again, an offense report or if
23 the deputy was found to have done something in
24 violation of a policy, then it would have been
25 written up, put in his personnel file.

1 So any record of something like that would
2 be in the deputy's personnel file where they got
3 written up for it on a complaint.

4 Q. Do you have a record of the complaints
5 that were filed against deputies in your department
6 for the year 2022?

7 A. Not for that year. I'd have to look
8 through each deputy's file and see if there was any
9 kind of write-up in there on them.

10 Q. Do you keep a log -- did you keep a log of
11 the complaints that were filed according to your
12 methods in 2022?

13 A. No, but now I do. Now we have a
14 centralized system that keeps up with all of the --
15 but then, no, I didn't have any way of logging it.

16 Q. You made that change because your previous
17 system was not working effectively; is that right?

18 A. I think for the 10 years or how many years
19 it's been since I've been elected it worked fine,
20 until these guys lied to me and made all this happen
21 where we had to take some kind of action to
22 prevent -- do our best to prevent anything like this
23 from happening again.

24 Q. Well, Chief, if you don't have a formal or
25 acceptable complaint system in place, that could

1 encourage officers to lie to you; is that right?

2 A. I think over the 10 years prior to that,
3 11 years prior to that, it had worked fine. Again,
4 they're -- these guys lying and committing the
5 crimes that they did, forced me to come up with a
6 more -- a better way of being accountable on
7 complaints, so that's why I changed it.

8 Q. Yeah, but if your officers were in the
9 field committing abuses against persons and the
10 persons had no formal way to complain, wouldn't that
11 encourage your officers to go back out in the field
12 and to commit acts knowing that their complaint
13 would never be formally dealt with, tracked or
14 logged?

15 A. No, sir, I don't agree with you. I mean,
16 I think that at that time I thought the system was
17 working well. And plus, there's more than just the
18 sheriff's office. If they're not satisfied with the
19 results of the actions on a complaint at the
20 sheriff's office, I've always -- hundreds of people
21 I've told, you're welcome to call the attorney
22 general's office or the FBI.

23 And again, to my knowledge, the FBI and
24 the attorney general's office hadn't received a lot
25 of complaints on us that I'm aware of, especially

1 use-of-force complaints. So I don't know --

2 Q. Have you -- I'm sorry. Go ahead.

3 A. No, you go ahead.

4 Q. So did you have any formal document that
5 referred persons who were complaining to the
6 attorney general or the FBI office with their
7 complaint?

8 A. No, sir. I would do that on the telephone
9 or in person if they complained that -- when we're
10 talking about complaints, we're talking about a
11 whole lot more than just any kind of civil rights
12 violation. We're talking about people complaining
13 about an accident report not being correct, they're
14 saying it's not correct. And people would complain
15 about officers that weren't even with my department,
16 it would be a totally different agency or anything.

17 And if they didn't like the outcome of the
18 complaint, then I'd always recommend that they could
19 contact the AG's office or the FBI and file a
20 complaint with them and that they would investigate
21 us.

22 Q. Okay. So at the time of the
23 Jenkins-Parker incident, a citizen could not
24 complain to your department through online
25 procedures?

1 A. Not online, they could in-person and on
2 the phone, though.

3 Q. Okay. But there was no form in-person,
4 right?

5 A. Yes, sir. I mean, the information will be
6 taken and it would be given to a supervisor, they
7 would research it. And if it rose to a level where
8 something needed to be done, there would be an
9 offense report written on it, referred to another
10 agency, like the FBI or the MBI or personnel writeup
11 would be written up and put in their file.

12 So, yes, sir, action was taken.

13 Q. Direct question is, but there was not a
14 formal citizen's complaint form that a citizen could
15 fill out where you would have a record of it; is
16 that right?

17 A. I've answered that. I'm telling you that
18 the form would be --

19 Q. Did you have a form -- go ahead. I'm
20 sorry.

21 A. No, no, you go ahead.

22 Q. Did you have a formal complaint form?

23 A. No, I didn't have a form that said
24 complaint. But every report starts with a blank
25 piece of paper, so that blank piece of paper would

1 be the complaint form. The information would be
2 taken via the telephone or in-person, referred to
3 the department head and they -- I'd ask them to look
4 into it and research it and find out if there's a
5 valid complaint or not.

6 Now we do have a complaint form that is
7 available online.

8 Q. And you made -- and you made those changes
9 for specific reasons, right?

10 A. Yeah, I made those changes specific
11 because five deputies lied to me and committed
12 crimes against two innocent individuals.

13 Q. And you made that change also because your
14 previous system was not working?

15 A. Yes, I believe it was working. I think it
16 was working.

17 Q. You believe your previous system was
18 working?

19 MR. DARE: Asked and answered.

20 Q. (By Mr. Shabazz) Let me ask you this, did
21 you keep a record, according to your method of
22 gathering citizen complaints, did you keep a record
23 of those complaints again in the year 2022?

24 MR. DARE: Asked and answered.

25 Q. (By Mr. Shabazz) Did you keep a record of

1 them in 2021?

2 A. It would be the same scenario as what I
3 told you before, that they call -- so if there was a
4 valid complaint, there would be an offense report or
5 a personnel writeup in a file up there. But, no, I
6 don't have a record of all the complaints that came
7 in.

8 Q. Okay. Do you -- do you-- you have no
9 record for 2021, right?

10 MR. DARE: That's not what he said.

11 MR. SHABAZZ: Well, I didn't hear him.
12 Again, I just want to get a direct answer.

13 Q. (By Mr. Shabazz) Do you have a record of
14 the complaints for 2021?

15 A. If there were any valid complaints that
16 came in that rose to the -- of being written --
17 somebody would have an offense report or a writeup
18 on a deputy or a jailer, employee, wherever the
19 complaint was, dispatch or wherever, it would be in
20 their personnel file.

21 So I would have to look through all the
22 files to see if there was anything in 2021.

23 Q. Okay. So you would have copies of the
24 complaints for these years that we're speaking of?

25 A. No, I just said -- I told you it would be

1 the offense report or a writeup on an employee due
2 to the complaint.

3 Q. Is this the same scenario for all the
4 years that you've been the sheriff?

5 A. Yes, sir, until this year.

6 Q. And do you have a record or a tracking of
7 the outcomes of your investigation into these
8 complaints?

9 A. I do now when we started this online
10 thing. Like I say, all complaints are in a
11 centralized location now and all the action taken.
12 So, yes, I do now.

13 Q. But this was not in place when the
14 incident between Jenkins and Parker happened?

15 A. No.

16 Q. Not in place when the incident between
17 Mr. Schmidt happened?

18 A. No, sir.

19 Q. And then -- and so can you tell us,
20 according to your methods of gathering complaints,
21 do you have a record of the outcomes or final
22 decisions being made in regards to those complaints?

23 MR. DARE: Asked and answered.

24 Q. (By Mr. Shabazz) For all the years you've
25 been sheriff?

1 A. Again, I would have to go back through the
2 personnel files and see the writeups or check the
3 offense reports to check to give you a number on it.

4 Q. But you do have it? You say you did reach
5 outcomes and formal conclusions on complaints that
6 were being filed?

7 A. On some of them, yes, I do. There would
8 be something in their personnel file or an offense
9 report written on it.

10 Q. Okay. And you would be able to produce
11 that to us?

12 A. I'd have to research all the files to see
13 what was in them on the complaints. But yes, sir,
14 if they were written up for a complaint, it would be
15 in their personnel file.

16 Q. And was the citizen who complained
17 notified of the results of the investigation?

18 A. Yes, sir, as far as I know, by the
19 supervisor they were. Or if it's something that I
20 looked into myself, I would call them back and tell
21 them what I'd found.

22 Q. So you're saying you would just do this
23 orally?

24 A. Yes, sir.

25 Q. But did you have any -- did you have

1 anything written or email or correspondence with the
2 person who complained, where they received a
3 response from the results of their complaint?

4 A. If it rose to something serious enough
5 where the employee had to be written up, then yeah,
6 there would be a writeup in the file or there would
7 be an offense report on it. And the few that I've
8 dealt with, I know I've called people back.

9 And again, you're talking about such a
10 wide scale of complaints here. It could be a
11 complaint on a deputy speeding, so no, I didn't log
12 that down. But I would call the person back, hey, I
13 talked to the deputy, they were going to this call
14 or hey, I talked to the deputy and got on to him
15 about speeding in a patrol car.

16 So there's so many different levels of
17 complaints that, yeah, a lot of them were just
18 handled on the phone, the minor ones.

19 Q. But you don't have like a logging process
20 where you were able to log your complaints and the
21 outcomes?

22 A. Yeah, I've already answered that. I do
23 now. I didn't before. I do now.

24 Q. Okay. All right. I get it.

25 All right. Just a couple of quick

1 questions on your administration and who was in the
2 position before, just to get an idea, you know, over
3 the few years of who was in the position.

4 The current training director is
5 Mr. Martinez, correct?

6 A. DeMartino, AJ DeMartino.

7 Q. DeMartino, okay.

8 And how long has he been the training
9 director?

10 A. You would have to let me go back and look.
11 I want to say he was made training director maybe in
12 2023. It could have been before that but I would
13 have to look back and see his personnel
14 recommendation when he was changed.

15 Q. Who was in the position before him?

16 A. Before it would have been Steve Godfrey
17 did some training, Paul Holley was over some
18 training and then Richard Lawrence, our attorney,
19 before that, he was over some training.

20 Q. Over some training. So Martini (sic) was
21 put in after the Jenkins-Parker incident as the
22 training director?

23 A. Yeah, sometime in '23. I would have to
24 look at the date and make sure, but it was possibly
25 after. But he's like a full -- that's the first

1 time we did a full-time person in that position.

2 Q. Was this in response to what happened to
3 Michael Jenkins and Eddie Parker?

4 A. It was in response to the changes that we
5 thought needed to be made at the sheriff's office on
6 training because we've grown and all that. I don't
7 know if it's directly due to that incident or not
8 but --

9 Q. Why did you make those changes --

10 A. I'm sorry?

11 Q. Why did you make the change from your --
12 why did you make the change to Martini (sic) as the
13 training director?

14 A. Well, based on his training, experience
15 and his desire to do the job. He was already
16 helping training on firearms and different things
17 like that.

18 Q. But was it a response to what happened to
19 Jenkins and Parker?

20 MR. DARE: Asked and answered.

21 THE WITNESS: Yes, sir, I'd -- yeah, I
22 can't remember if it's exactly -- I'm sure part of
23 it was. But the biggest reason is the department
24 has grown and the legislature recently increased the
25 training hours for deputies to be mandatory hours,

1 so you know, we had to do something with training
2 anyway.

3 Q. Undersheriff Barry Vaughn, when did he
4 come on?

5 A. When did he come on the sheriff's office
6 or when did he become undersheriff?

7 Q. When did he come on as undersheriff?

8 A. I don't even know that I've actually done
9 the paperwork. He's had the position -- he's been
10 working the position, training the position for a
11 couple of months now. I'm not sure I've officially
12 done the personnel recommendation to change his
13 title, because the former undersheriff, Dwayne
14 Thornton just retired last month.

15 Q. Who served -- who served before
16 Mr. Thornton?

17 A. Before it was Paul Holley.

18 Q. Paul Holley. And before Holley?

19 A. It would have been Randy Gray.

20 Q. Randy Gray.

21 Do you know what year Mr. Gray came on?

22 A. As undersheriff, I'd have to look back in
23 his personnel file and see.

24 Q. Currently your Chief Deputy is Brian
25 Whittington; is that right?

1 A. Yes, sir.

2 Q. And how long has he been chief deputy?

3 A. Sir, I would have to go back and check and
4 see. My years sort of -- my time runs together --

5 Q. Approximately?

6 A. A year or two maybe -- well --

7 Q. After Jenkins -- he came on after the
8 Jenkins-Parker incident?

9 A. I can't answer that. I would have to look
10 at his personnel file to give you a date.

11 Q. Who served before Whittington in that
12 position of chief deputy?

13 A. Dwayne Thornton.

14 Q. And before him?

15 A. Let me think a minute. It was -- I may be
16 skipping somebody, Mr. Shabazz, I think it may have
17 been Ken McBroom possibly, before --

18 Q. Ken who?

19 A. Ken McBroom possibly. But I would have to
20 look back and see the personnel recommendations.
21 Because like I said, my years and my people sort of
22 run together on it. So --

23 Q. I got it.

24 A. -- I'm trying to think. If I think of it
25 while we're talking I'll let you know names. But it

1 may have been Ken McBroom prior to that.

2 Q. And prior to him?

3 A. I know I'm missing somebody, I just can't
4 think of who it is. So it's Dewayne --

5 MR. DARE: You don't have to think out
6 loud.

7 Q. (By Mr. Shabazz) Okay, I'll come back to
8 that.

9 Let me ask you this, chief investigator --
10 your chief investigator right now is Fred Lovett; is
11 that right?

12 A. Yes, sir.

13 Q. And when did he come on?

14 A. He came into that whenever Chief
15 Investigator McAlpin was arrested and terminated.

16 Q. Okay. And prior to that it was
17 Mr. McAlpin?

18 A. Yes, sir.

19 Q. And before Mr. McAlpin, who was it?

20 A. I think it was Tim Lawless.

21 Q. Tim Lawless?

22 A. Yes, sir.

23 Q. Do you know what years he served as chief
24 investigator?

25 A. No, sir. He's been gone a couple of

1 years, but maybe -- it may be three or four years, I
2 don't know. I would have to go back and look at the
3 files to see the personnel recommendations to give
4 you exact dates on changes.

5 Q. And Mr. McAlpin, what was his years in the
6 position of chief investigator?

7 A. Again, it would have been whenever
8 Tim Lawless retired Brett was put over that. And
9 then he would have served up until his termination
10 in June of '23.

11 Q. Okay. All right. I'm going to turn your
12 attention to the subject of the Rankin County night
13 shift, the night shift operations at the time of the
14 incident between Michael Jenkins and Eddie Parker.

15 Who was your lead officer on the night
16 shift at the time of the incident?

17 A. When you say night shift, there's four
18 patrol shifts. So -- and again, at that time they
19 were working -- I don't know if they were still
20 working 11:00 to 11:00 then or if they had already
21 changed from 7:00 to 7:00.

22 The shift that was working that night
23 would have been Jeffrey Middleton, Lieutenant
24 Jeffrey Middleton's shift.

25 Q. And can you detail for -- can you tell me

1 how you monitored and supervised the night shift?

2 A. Well, again, I had put faith and trust
3 into all my supervisors so they would, you know,
4 pretty much acted on my behalf when I wasn't
5 present, but I would listen to -- I would monitor my
6 radio a lot. And really, at night, I mean I had
7 that time -- I mean I got 240 employees, so there's
8 no way I can keep up with and watch every single one
9 of them, so I trusted my supervisors to do their job
10 and supervise.

11 So again, that's how I kept -- that's how
12 I monitored them, through the supervisors and I'd
13 monitor the radio occasionally, monitor the calls.

14 And then pretty much within the sheriff's
15 office when they'd notify me, they'd call me about
16 certain things, it would be like an accident with
17 injuries and above, I want them to call me and let
18 me know about it. So pretty much if somebody was
19 bleeding, I want them to call me and tell me what
20 was going on with it. So dispatch would do that.

21 And that's how I kept up with the shifts
22 too and what was going on, by the phonecalls.

23 Q. So Lieutenant Middleton had a direct
24 contact with you on your telephone; is that right?

25 A. If something -- yeah, if it's something

1 bad, like I say if it was an accident with injuries
2 and above and he was on scene, either the
3 lieutenant, sergeant or dispatch, one of those three
4 would usually call me.

5 Q. Okay. And was this on a department issued
6 cellphone?

7 A. Of his?

8 Q. Of yours.

9 A. Mine is a personal cellphone.

10 Q. So Lieutenant Middleton would call you on
11 your cellphone?

12 A. Uh-huh (affirmative response).

13 Q. How many officers was on the night shift?

14 A. Seven, eight, maybe. I would have to look
15 back and see at that time if we were fully staffed
16 or not.

17 Q. Seven to eight officers would be on
18 overnight?

19 A. Uh-huh (affirmative response). Yes, sir.
20 And if --

21 Q. And you -- I'm sorry. Go ahead.

22 A. Depending on who was off, if somebody was
23 sick, if we were short, it just depends. I could go
24 back to that night and let you know.

25 And plus, like I told you, I can't

1 remember when we changed the shift change, because
2 sometimes they would overlap. And I can't remember
3 at that time if they were working, still working
4 11:00, 11:00 or if they'd changed to 7:00 to 7:00.
5 So I think they were still on 11:00 to 11:00, maybe.

6 But anyway, it would be seven to eight on
7 a shift.

8 Q. Seven to eight on the night shift?

9 A. Yes, sir.

10 Q. And you said your basic system was to
11 trust officers like Jeffery Middleton to do the
12 right thing?

13 A. Yes, sir.

14 Q. That was your basic system of supervision?

15 A. Yes, sir, I trust everybody until they
16 give me a reason not to. I have, you know, faith
17 that people were going to do the right thing.

18 Q. And you trusted Jeffrey Middleton?

19 A. Yes, sir, I trusted him. I trusted all
20 five of them.

21 Q. Now, would any of the other five reach you
22 on your personal cellphone?

23 A. Would they call me on my personal
24 cellphone?

25 Q. Yes.

1 A. Yes, sir. If it was something that rose
2 to a level they thought I needed to be notified,
3 they'd call me and tell me what was going on.

4 Q. That includes Hunter Elward, would call or
5 text you on your cellphone?

6 A. Like I said before, the dispatch, the
7 lieutenant, the sergeant or the deputy on the scene
8 of a serious incident would usually call me and tell
9 me what was going on.

10 Q. What was your cellphone number at the time
11 of the incident between Jenkins and Parker?

12 A. (601)906-9923.

13 Q. 9923?

14 A. Yes, sir.

15 Q. (601)906-9923?

16 A. Yes, sir.

17 Q. Would you have a record of the text
18 messages that were sent to you by all of those
19 officers who were convicted in this case?

20 A. I would have to go back and search the
21 phone records to see what was theirs. I mean, I'm
22 sure not all of them text me, and I mean, some of
23 them I didn't talk to very often, but I would have
24 to research the phone to see.

25 Q. But you did speak with Hunter, you did

1 exchange contact with -- messages with
2 Hunter Elward; is that right?

3 A. On this incident or in general?

4 Q. In general?

5 A. I'm sure he's texted me in the past, yes,
6 sir.

7 Q. Is that true for Brett McAlpin?

8 A. Yes, I'm sure he had text me something in
9 the past. None of them text me anything on the
10 night of the incident in January of '23.

11 Q. I'm just asking about your communications
12 in general with them and members of this night
13 shift?

14 A. Yeah.

15 Q. How long did you have that cellphone
16 number?

17 A. I would have to look back, but for a long
18 time. Probably 20 years maybe, 15 years.

19 Q. Twenty to 15 years. All right.

20 And so you would have text messages from
21 all of those officers on that night shift, as you
22 stated?

23 A. I don't know, I would have to look back
24 and see if there was anything there. But I don't
25 save -- I get so many text messages, so many

1 phonecalls, all my text messages delete
2 automatically after a year.

3 Q. Well, did you save your text messages that
4 you had from those officers at the time that the
5 Jenkins and Parker incident took place?

6 A. I would have to look back at the last time
7 I saved -- did a backup on the phone and see.

8 Q. Did you do a backup?

9 A. Yes, sir, I would have to look at the date
10 on it, but there should be a backup with all the
11 data on it.

12 Q. Okay. Now, did you -- in terms of
13 trusting Mr. Middleton, I mean did you -- when you
14 came back in the office the next day -- strike that.

15 I mean, did you have a procedure where you
16 regularly met with Mr. Middleton to evaluate the --
17 what was going on, on the night shift?

18 A. No, sir. That would be the captain of
19 patrol would keep up with all the lieutenants.

20 The only time an email -- we said text,
21 but the biggest way of communication at the
22 sheriff's office for getting information out and in
23 was email. So the -- we get a lot of emails on a
24 daily basis on it.

25 But I wouldn't meet with Middleton

1 regularly, the captain of patrol would meet with his
2 lieutenants and sergeants about what was going on
3 patrol.

4 When I say they would contact me, they
5 would only contact me if something major had
6 happened on their shift.

7 Q. Who was the captain of patrol at the time
8 of the Jenkins-Parker incident?

9 A. I think Dwayne Thornton was.

10 Q. Thornton. And did you meet with Mr. --
11 did you have any procedures where you met with
12 Mr. Thornton to understand was your night shift in
13 compliance with department policy?

14 A. No, sir. He would just contact me if
15 there were any issues with the patrol. And if he
16 had to take any action against anybody, he would
17 come talk to me about it first.

18 But, no, we didn't meet on a regular
19 basis, unless there was an issue.

20 No, I take that back. We did meet with
21 every -- and I don't go to all of them now, but
22 every morning we have a morning meeting at the
23 sheriff's office where the sheriff, the
24 undersheriff, the chief investigator, all the
25 investigators, the captain of patrol, we meet every

1 morning, Monday through Friday, and talk about
2 everything that had happened the previous day. So
3 that was a big way that we communicated like that.
4 We call it the investigator meetings.

5 But also the lieutenant that was working
6 or the sergeant would come to that same meeting and
7 everybody would exchange and share information.

8 Q. Okay. So I mean, did you have that
9 meeting on January 24th, the morning after
10 Michael Jenkins was shot, did you have that meeting?

11 A. They had a meeting but I don't think I
12 attended it. Now I met with some of the admin that
13 morning about the incident.

14 Q. Who was in that meeting?

15 A. I told you before at the beginning of the
16 deposition, it was me and -- see, I can't
17 remember -- Paul Holley was gone to the FBI academy
18 and I don't remember if he was back. I don't think
19 he was back yet or not from the FBI academy. So it
20 would have been Dwayne Thornton, I think Randy Gray,
21 maybe Ken McBroom, Barry Vaughn. I can't remember
22 who else was in there when we met and talked about
23 it. Because I know we were talking about getting
24 information together that MBI had requested.

25 Q. Okay. What was -- let's go back to

1 Jeffrey Middleton. How was Jeffery Middleton -- how
2 did he gain the authority as the lead officer over
3 the night shift?

4 A. Well, I mean, there's an interview board
5 that does interviews for corporal, sergeants and
6 lieutenants. And I specifically keep myself out of
7 the process so nobody thinks that I'm playing
8 favorites. But there'll be a promotion board made
9 up of the captain of patrol, captain of court
10 services, the chief investigator and then they'd
11 pick -- let's say if they were interviewing for a
12 sergeant, they would get one or two lieutenants to
13 sit in on it. And they'd interview all the
14 applicants and then decide within that group who got
15 promoted up.

16 Q. Okay. But so do you know about
17 Jeffrey Middleton, how he gained such authority?

18 A. I just told you, we had a promotion board
19 that he would have gone before and they would have
20 interviewed several candidates and that promotion
21 board would have picked the top candidate in their
22 opinion. And I always approve their pick.

23 Q. So Jeffrey Middleton was specifically
24 approved by you once the board --

25 A. Man, I just told you, this board would

1 interview five or six, however many people put in
2 for the lieutenant's job. The board would come to
3 me and say, hey, we recommend this guy, I'd say
4 that's fine, if that's who y'all picked that's fine
5 with me.

6 Q. Okay. So you approved Jeffery Middleton
7 to --

8 A. I approved -- yes, I approved the board's
9 recommendation for the -- for the -- whatever spot
10 that that person was applying for, be it lieutenant,
11 sergeant, corporal, investigator, anything like
12 that.

13 Q. And that specifically includes
14 Jeffrey Middleton?

15 A. Yes, sir.

16 Q. When was Jeffrey Middleton hired by Rankin
17 County Sheriff's Department?

18 A. I would have to go back and look, pull up
19 his personnel file. He was hired before I was
20 sheriff.

21 Q. You became sheriff in 2004?

22 A. No, I became sheriff in 2012.

23 Q. Sorry. 2012. I'm sorry.

24 But you were in the department when
25 Jeffery Middleton came on?

1 A. Yes, sir. I can't remember if I was
2 undersheriff or I was investigator. Again, I'd have
3 to refer to his personnel file.

4 Q. Okay. When you became sheriff, did you
5 review Jeffrey Middleton's personnel file?

6 A. When I became sheriff?

7 Q. Yes.

8 A. No, sir, I don't think I reviewed
9 anybody's file. I mean, I didn't -- I didn't
10 like -- there wasn't a change -- whenever I got
11 elected sheriff, I just took on the same crew that
12 was already there. So the same employees stayed, I
13 didn't get rid of everybody.

14 Q. I understand that.

15 Now when Jeffrey Middleton, when you
16 approved Jeffrey Middleton to be in charge of the
17 night shift, did you review his personnel file?

18 A. No, sir, I took the recommendation of the
19 board, the promotion board.

20 Q. And did -- was there any specific training
21 required to supervise the night shift?

22 A. No, sir. Now several of them, I don't
23 know, I could check his personnel file and see, but
24 several of them, if they're going to be in a
25 supervisory position, we'd make them go to command

1 college that the FBI puts on. They would go through
2 this command college, which lasts about a week, on
3 leadership.

4 Q. Did Jeffrey Middleton attend that?

5 A. I just told you I would have to check his
6 file to see, but I'm pretty sure he went because
7 pretty much we make every lieutenant and sergeant
8 go. But I don't want to tell you that and then not
9 be true. So, again, I would have to check his
10 personnel file to see if he completed that training
11 or not.

12 Q. Now, were you aware of Jeffrey Middleton's
13 criminal background when you approved him to be in
14 charge of the night shift?

15 A. I was aware of something that happened
16 in -- I don't know if he was working for the Jackson
17 or something like that, but there was an accident
18 and somebody was injured or killed and I think he
19 got charged with it, initially, but then it was
20 no -- it was nolle pros or something done away with.
21 I remember something like that going on with him,
22 but I don't know the details of it. I wasn't
23 sheriff then.

24 Q. You said it was not prosecuted?

25 A. I don't know if it was prosecuted or not.

1 I just remember I was undersheriff and somebody said
2 something about him being in an accident in Jackson.
3 But, again, I didn't hire him. I had nothing to do
4 with hiring him at the sheriff's office. I was
5 undersheriff then, I didn't -- I didn't hire the
6 deputies, the sheriff did.

7 Q. But when you approved his promotion, did
8 you review his criminal background?

9 A. No, sir, I took the recommendation of the
10 promotion board, like I told you.

11 Q. You are -- you are aware that he has a
12 felony conviction? Are you aware of that?

13 A. No, sir, I'm not aware he has a felony
14 conviction. I don't see how he can have a felony
15 conviction and the state would have give him his
16 certification.

17 MR. DARE: And just to clarify, are you
18 talking about the felony conviction as a result of
19 the January '23 incident?

20 MR. SHABAZZ: I'm talking about his
21 previous -- his previous --

22 MR. WALKER: His vehicular manslaughter
23 conviction that was non-adjudicated or otherwise --

24 MR. DARE: Which isn't a conviction.

25 MR. WALKER: Since it was non-adjudicated,

1 but we're off topic.

2 MR. DARE: So are you representing to this
3 witness that Jeffrey Middleton had a felony
4 conviction, prior to being brought on to the
5 sheriff's department?

6 MR. SHABAZZ: I'm limiting my question to
7 whether or not he reviewed Jeffery Middleton's
8 criminal background before allowing him to supervise
9 the night shift.

10 MR. DARE: No, no, your question was, were
11 you aware that he had a felony conviction?

12 THE WITNESS: Yeah, you said conviction.

13 MR. SHABAZZ: Okay, well, strike that.
14 I'm asking the question I'm asking right now.

15 MR. DARE: Okay. What's the question?

16 Q. (By Mr. Shabazz) Were you aware of
17 Jeffrey Middleton's criminal background prior to
18 approving him to supervise the Rankin County Sheriff
19 Department's night shift?

20 A. I was aware of an incident that happened
21 in Hinds County, but I was under the -- it was my
22 understanding that it had been non-adjudicated
23 somehow or another. But he was a certified officer
24 with the State of Mississippi, so I don't know how
25 he could have been -- have a felony conviction and

1 they wouldn't have given him a certification. They
2 wouldn't have sent certification if he was a
3 convicted felon. So I'm sure we had his state
4 certification.

5 Q. And you met with Mr. Middleton -- I know
6 you said you had a procedure, but how often did you
7 meet directly with Mr. Middleton?

8 A. Not very often at all.

9 Q. Okay.

10 A. I don't know that I ever met with him.
11 Again, the captain of patrol would meet with the
12 lieutenants and sergeants. And the only time I
13 really communicated with Middleton or any lieutenant
14 or sergeant was if something serious happened on
15 their shift, they would contact me directly.

16 Q. Okay. Are you familiar with some WhatsApp
17 text messages that were exchanged between the
18 officers on your night shift?

19 A. Just through an article in the newspaper
20 is the first time I'd seen or heard about it.

21 Q. Okay. But have you seen those text
22 messages?

23 A. I read them in the paper. Being as it was
24 several months ago I can't remember what all they
25 said.

1 Q. But I mean outside of the newspaper, do
2 you have a copy of those text messages?

3 A. No, sir.

4 Q. Okay. And then were you aware that your
5 officers had a text message system that they
6 communicated with?

7 A. No, sir.

8 MR. SHABAZZ: Can I put the logo exhibit,
9 which I think we want to mark as number four?

10 MR. DARE: What logo exhibit?

11 MR. SHABAZZ: Goon Squad logo.

12 MR. WALKER: It's probably on that same
13 email that he sent you.

14 MR. SHABAZZ: I think you have it, Trent,
15 and it should be with the court reporter.

16 MR. WALKER: Again, I can't access it from
17 here.

18 MR. DARE: Let's go off the record.

19 (Off the record.)

20 (Exhibit 4 marked for identification.)

21 Q. (By Mr. Shabazz) Sheriff, we're back on
22 the record.

23 Do you recognize what's marked as
24 Exhibit 4?

25 A. Yes, sir.

1 Q. What is that?

2 A. It's a challenge coin with Rankin County
3 Mississippi on one side and Lieutenant Middleton's
4 Goon Squad on the other side.

5 Q. Okay. When was the first time you saw
6 this coin?

7 A. I think it was June of '23 whenever the
8 five former deputies pled guilty to that bill
9 information is the first time I've heard of this.

10 Q. Okay. And do you have -- at the time of
11 the Jenkins-Parker incident, did you have any
12 policies or procedures in place that dealt with
13 using Rankin County Sheriff's Department insignia on
14 logos?

15 A. Yes, sir. I can't remember which policy
16 it is, but there should be one restricting the use
17 of the sheriff's office logo without my approval.

18 Q. And how did you enforce that policy?

19 A. If somebody used the sheriff's office logo
20 in an inappropriate way, an employee, then I would
21 tell them they couldn't use it like that or tell
22 them to take it off their social media or whatever
23 it was.

24 Q. Okay. Facts of this case stated this
25 coin -- this logo and coin was being used in your

1 department?

2 A. Yes, sir, it was being used without my
3 knowledge. I never would have approved anything
4 like this.

5 Q. Okay. Now, if you come -- if you were to
6 come to understand that the testimony in this case
7 has revealed that this logo and the operation of the
8 Goon Squad that is represented by the logo was known
9 to your officials and your department much earlier
10 than June of 2023, if you came to know that, what
11 would your response be?

12 MR. DARE: Object to the form.

13 THE WITNESS: I mean, I'm upset about it.
14 It should have never been used, never authorized.
15 And if somebody else knew about it they should have
16 said something. Somebody should have informed me
17 about it.

18 Q. (By Mr. Shabazz) And did you ever hear
19 anybody mention the existence of a Goon Squad?

20 A. Never heard it before they pled guilty to
21 that in June, sometime in June, whatever the court
22 date was in June is the first time I've ever heard
23 of the Goon Squad.

24 Q. And would you be surprised that it's been
25 testified that many persons in your department

1 were -- had saw the coin and was aware of the
2 existence of the Goon Squad?

3 A. I wasn't aware of it and I never would
4 have approved it. And if I had known about it, I
5 would have made them turn them all in. And, again,
6 I had no clue about it.

7 Q. Okay. Have you changed your policy on
8 logos and insignia since then?

9 A. I would have to see if we changed it, but
10 I didn't change it because of that. There was
11 already one in place, I know, and I would have to
12 get you a copy of it. But there's always been
13 something in place about using the sheriff's office
14 logo. Because I've had people post stuff on their
15 personal social media accounts that was -- I felt
16 was inappropriate or brought bad light on the
17 sheriff's office, so they would have to get approval
18 from me to use it.

19 Q. Okay. Are you familiar with a Lloyd Goon
20 Jones?

21 A. Yes, sir. Well, not Goon, I know
22 Lloyd Jones.

23 Q. Lloyd Jones?

24 A. Yes, sir.

25 Q. Lloyd Jones. Can you tell me about your

1 familiarity with Lloyd Jones?

2 A. Yes, sir. When I first got in law
3 enforcement he -- Sheriff Lloyd Jones hired me in
4 19- -- I graduated from Jackson State in '90 and I
5 went to work for Mendenhall Police Department. And
6 then Sheriff Jones offered me a job at the Simpson
7 County Sheriff's Office in '90 or '91 and I began to
8 work for him there.

9 Q. Okay. And how would you characterize your
10 relationship with him thereafter?

11 A. I mean, he was my boss. He was the
12 sheriff. He was a good sheriff. It was a
13 sheriff-deputy relationship. I don't know what else
14 you would call it. It was -- I worked for him.

15 Q. You admired Lloyd Jones?

16 A. Oh, yes, sir. Yes, sir.

17 Q. Okay. Indulgence.

18 Turning your attention to internal
19 investigations. I'm pretty much clear on who you
20 say were your internal investigations officers.

21 Let me ask you this, do your internal
22 affairs -- at the time of the Jenkins and Parker,
23 you said that Mr. Godfrey was your internal affairs
24 director; is that right?

25 A. Not so much director, he would be the

1 internal affairs investigator. He'd be the one that
2 I'd turn to. But there are other people, and I
3 can't tell you who, I know other people have done
4 internal affairs. But, yes, I would rely on Godfrey
5 for internal affairs investigations and advice.

6 Q. So did Mr. Godfrey initiate investigations
7 or did he only investigate matters brought to his
8 attention?

9 A. I would say he only investigated the stuff
10 that I brought to his attention that I asked him to
11 look into.

12 Q. So only you could bring matters to
13 Mr. Godfrey's attention?

14 A. No, sir. Anybody in administration or
15 anybody that filed a complaint with him. If a
16 citizen did a complaint with him or if a deputy made
17 a complaint with him, he can investigate anybody.
18 It didn't have to just come from me.

19 Q. How often did he do that?

20 A. I mean, to the best of my recollection,
21 just guessing, like once a year maybe, twice a year
22 maybe, it wasn't very often.

23 Q. So as internal affairs investigator he may
24 have investigated maybe once or twice a year --

25 A. Yes, and I'm just guessing on that. I

1 don't know for a fact. Again, I would have to go
2 back and do some research to give you an exact
3 number.

4 Q. But do you have records of his
5 investigations?

6 A. Yes, sir. If he did an investigation
7 there would be an offense report on file.

8 Q. So you do have records of the
9 investigations that Mr. Godfrey conducted?

10 A. If he conducted an investigation and did a
11 report, then there should be a file, yes, sir.

12 Q. And that would include emails also, right?

13 A. If it was pertinent to the case I guess an
14 email would be attached to it.

15 Q. Okay. And you would be able to provide
16 your attorney to give us the results of all of his
17 investigations?

18 A. Yes, sir, if I'm able to locate everything
19 that he did, yes, sir. If it's in the PTS reporting
20 system, then I should be able to find it.

21 Q. But just your general knowledge, he may
22 have investigated once or twice a year?

23 A. Yes, sir, and I'm just guessing. I can't
24 give you a specific number. Like I said, I've been
25 sheriff now for what, 12 years, so there has been a

1 lot of cases, a lot of things happen, so I can't
2 give you specific numbers.

3 Q. Well, let's talk about the year right
4 before Jenkins and Parker, year 2022. In the year
5 2022, just approximately, I'm not holding you to a
6 specific number, because you say that you can bring
7 matters to him, you say a complaint could be brought
8 to him. Those are various sources, correct?

9 A. Yes, sir.

10 Q. Approximately, in 2022, how many
11 investigations did your internal investigator
12 conduct in the year 2022?

13 A. I have no idea. But I'm guessing around
14 one or two a year. Like I told you, for every year
15 I would say maybe one or two a year. Because it's
16 not that often that it would happen. So again, it
17 would be something I would have to research to give
18 you a more specific number on.

19 Q. Now looking back when you -- when you
20 earlier described that, you know, complaints could
21 come in on any number of sources, how do you see
22 that number once or twice a year where your internal
23 affairs --

24 A. You're talking about internal affairs.
25 There's a big difference between complaints and

1 internal affairs investigations. A complaint could
2 be a deputy speeding. So there's a big difference
3 between the two.

4 Q. I'm talking about allegations of
5 misconduct.

6 A. Then that would be like an internal
7 affairs. If it rose to something serious enough
8 where an internal affairs investigation would be
9 done, then I'd say maybe once or twice a year. I'd
10 have to research it to give you those numbers.

11 Q. Okay. And he didn't investigate anything
12 on his own; is that right? It had to come to him?

13 A. I know I referred some things to him. I
14 don't know if anybody else did. I don't know if he
15 took any walk-ins, I don't know. I'd have to
16 research it to see what was all saved in his name or
17 the reports that he did.

18 Q. Do you have a record of the investigations
19 that you referred to him?

20 A. No, sir, but it would be in the PTS. So,
21 yes, there would be a record if it in the PTS
22 system. Because if I referred something to him and
23 it rose to a serious level, then he would have done
24 an offense report on it or a case file on it.

25 Q. What's PTS system?

1 A. Our reporting system, our offense report
2 system.

3 Q. Your offense report system?

4 A. Yes, sir.

5 Q. Your attorney would be able to give us all
6 of these offense reports?

7 A. Yes, sir.

8 Q. And the criteria for initiating an
9 investigation, what's your -- what was your criteria
10 for referring an investigation to Mr. Godfrey?

11 A. Well, if it was a serious enough complaint
12 or if something came back on a complaint from one of
13 the supervisors. You know, let's say I got a
14 complaint in, it went to the supervisor, came back,
15 hey, yeah, there may be something to this. Then we
16 get -- I would get Godfrey to look at it. And,
17 again, it wasn't very often that that would happen.
18 But that would rise to a little bit higher level
19 where he would look a little deeper into it.

20 Q. And nobody -- and no one else was
21 functioning as internal investigations, other than
22 he?

23 A. I told you that before, that somebody else
24 could have done some of them. I don't remember.
25 No, I don't think he did all of them but I can't

1 tell you who else -- who would have done one. But I
2 don't think that he did all of them. I think there
3 may have been some other investigators that may have
4 looked into stuff. Again, it would be something I
5 would have to research. I'd have to search
6 personnel files, see what was in there and research
7 the system and ask -- and talk to some of the guys
8 that have been there a while.

9 Q. But you would have records of this?

10 A. Yes, sir, I should have records of all --
11 anything that a report was written on, there would
12 be a record of it.

13 Q. And his outcomes of his investigations,
14 you would have records of his outcomes of his
15 investigations, right?

16 A. Yes, sir, that should be a part of the
17 file, whether it was a paper file or on PTS, it
18 should be part of his file, the outcomes.

19 Q. Okay. And once that outcome would be
20 reached, what would you do thereafter?

21 A. Usually I took whatever action that the
22 internal affairs investigators recommend or we'd
23 discuss the situation and I'd talk with our attorney
24 and come up with some kind of -- some kind of action
25 on the issue.

1 Q. Do you have a record of your actions that
2 you took on these investigations?

3 A. Yeah, Mr. Shabazz, I'd have to go back
4 through the personnel file and look through each one
5 and, you know, like find an offense report. If an
6 officer or detention officer or dispatcher was
7 terminated or fired or written up, it would be in
8 the personnel file. So I'd have to go through the
9 personnel files to see what happened, to see what
10 the outcome was.

11 Q. You don't have a separate recordkeeping
12 system for your internal investigations as a whole
13 for your department?

14 A. Then we didn't, now we do, it's part of
15 the complaint system.

16 Q. You made certain changes?

17 A. Yes, sir.

18 Q. And you made those changes, why?

19 A. To make the department more accountable.
20 We always want to improve and better ourselves. And
21 this incident showed that we need to improve our
22 recordkeeping on complaints and internal affairs
23 investigations and have somebody checkup -- check
24 behind the supervisors, myself. That's why we did
25 the compliance director, somebody to have more

1 checks and balances in place.

2 Q. Because you would agree that if it's not
3 recordkeeping or department -- that if there's no
4 recordkeeping or internal investigations are not
5 taken serious by your deputies, that that would
6 increase the likelihood of them violating policy?

7 A. No, sir, I don't agree with you. Like I
8 said, I think that my system at that time was
9 working, until these five deputies committed this
10 crime and lied and just messed everything up for the
11 whole department, you know.

12 I think that a man's word should mean
13 something still these days. And these guys, again,
14 these guys, all five of them lied. And, I mean,
15 they hid this from me from the getgo before the FBI
16 or MBI ever showed up. They lied to me from the
17 very beginning on this. So they were covering this
18 up from me.

19 And like I say, if I had any way to
20 prevent it before then, I sure would have. But now
21 I hope I have taken the steps to prevent anything
22 like this from ever happening again.

23 Q. And you do that by instituting a better
24 system of accountability; is that right?

25 A. I've instituted a better system of

1 accountability on the complaints and I hope it does
2 make a difference and improves the department.

3 Q. And investigation, your whole
4 investigation system, you made serious changes
5 there, haven't you?

6 A. Made serious changes in investigations?

7 Q. In your internal investigation department
8 and procedures, you made some serious changes,
9 haven't you?

10 A. I think the compliance director is the
11 biggest change. But the internal affairs
12 investigators, I mean, I think they're doing the
13 same thing. But now I have a more centralized
14 system in keeping up with complaints and more than
15 one or two people know about the complaints. So,
16 yeah, I think I have a better system now.

17 Q. Your previous system allowed officers to
18 lie to you and get away with it?

19 A. Well, they didn't get away with it. They
20 lied to me for sure and lied to me that night, but
21 they didn't get away with it.

22 I think that the checks and balances are
23 in place by getting an outside agency like MBI to
24 come in and then the FBI coming in, that they found
25 the truth. And I think that that part of it worked

1 like it was supposed to.

2 Q. Now, was it working when Mr. Schmidt was
3 violated in December of 2022, was your system
4 working then?

5 A. As far as I knew, yeah, it was working. I
6 don't know -- I don't know if Mr. Schmidt ever
7 complained, filed a complaint with the sheriff's
8 office or not. That's something else I would have
9 to research and see if he filed one or not.

10 But then again, you know, once that
11 complaint was filed with the FBI and the MBI --
12 again, they've investigated and people are, former
13 officers are paying the price for committing those
14 crimes. So, yeah, it worked.

15 Q. Your system was working at the time that
16 Adam Schmidt was violated?

17 MR. DARE: Asked and answered.

18 Counsel, you can't keep asking, literally,
19 the exact same question over and over and over
20 again. That was asked and answered. You don't have
21 to answer that again.

22 Q. (By Mr. Shabazz) Okay. Adam Schmidt --
23 okay. We'll come back to that.

24 MR. SHABAZZ: Can we go to the -- I've got
25 an exhibit here and it's a Mississippi Bureau of

1 Investigation. This is your -- I gave this to you,
2 I don't know what Bates number. Let me see.
3 Anyway, you'll recognize this, Jason. This is a
4 Mississippi Bureau of Investigation -- just two
5 reports, Mr. Walker.

6 MR. WALKER: Yeah.

7 MR. SHABAZZ: Drafted by Willard
8 Holifield.

9 MR. WALKER: Yeah.

10 MR. SHABAZZ: Willard Holifield. I've got
11 two of them dated 12/5/2023. They're separate and I
12 think this would be five and six. Five, let's start
13 with five. Let me see, I'm trying to distinguish
14 one from another to you. Okay.

15 Trent, at the bottom one says case number
16 B23 and it ends with 200.

17 MR. WALKER: Yeah, I got both of them.
18 166 and 200.

19 MR. SHABAZZ: Let's start with 200 and
20 mark that as number 5.

21 (Off record discussion.)

22 MR. DARE: Let's stay off the record so
23 the witness will have an opportunity to review over
24 those.

25 (Off record discussion.)

1 (Exhibit 5 marked for identification.)

2 (Exhibit 6 marked for identification.)

3 (Exhibit 7 marked for identification.)

4 Q. (By Mr. Shabazz) Sheriff, we're back on
5 the record.

6 I want to turn you to what we have marked
7 as Exhibit 5. Just want to refresh you about a
8 meeting that you had with the MBI or conversation
9 you had with the MBI on January 25, 2023.

10 Do you recall talking to the MBI on this
11 date?

12 A. Yeah. Is this the night of the incident
13 at Conerly Road?

14 Q. It's the next day, actually.

15 MR. DARE: No, it's still the same night.

16 MR. WALKER: Same night. It's after
17 midnight.

18 THE WITNESS: Yeah, this is the same.
19 Yeah, because this is saying on January 25th at
20 12:09 a.m.

21 Q. (By Mr. Shabazz) Okay. And were you at
22 the scene that night?

23 A. Yes, sir, I responded to it.

24 Q. Who contacted you to come to the scene?

25 A. I think Brett did. I think Brett McAlpin

1 called me and then dispatch may have called me also.
2 But I know I got dressed, I was at home in the bed
3 and I got dressed and I contacted MBI while I was on
4 the way to the scene.

5 Q. And who from -- do you know who from
6 dispatch contacted you?

7 A. No, sir, I don't. I don't. I would have
8 to go -- if they even contacted -- I know -- I'm
9 pretty sure Brett called me, but I can't remember if
10 dispatch called also. Because a lot of times more
11 than one person will call me on an incident. But I
12 think it was Brett that called me that night.

13 Q. And what was Brett McAlpin's communication
14 to you?

15 A. That there had been an officer-involved
16 shooting. That Hunter had shot an individual and
17 that that individual was supposed to have had a gun.
18 And I told him I was on the way, to secure the scene
19 and that I would be calling MBI to respond to it.

20 Q. Okay. And you do remember speaking to
21 Mr. Holifield; is that right?

22 A. Yes, sir. The MBI agent, Holifield?

23 Q. Yes.

24 A. Yes, sir. Yes, sir.

25 Q. Okay. Holifield states that he spoke with

1 you and you told him what deputies were involved.
2 Did that occur?

3 A. Yes, sir, I'm sure it did.

4 Q. Okay. And you gave him Hunter Elward's
5 cellphone; is that right?

6 A. I don't remember giving him a cellphone
7 number. I think -- I'm trying to remember if Hunter
8 was still on the scene or not. He may have already
9 gone to the sheriff's office. I don't know if I
10 gave him a cellphone number or not.

11 Q. Okay. But in this report it's says that
12 he, meaning you, stated that Hunter Elward had an
13 altercation with Michael Jenkins inside of the home.
14 During this altercation Jenkins produced a handgun
15 and Elward fired one shot at Jenkins.

16 A. Yes, sir.

17 Q. Did you tell that to Holifield?

18 A. Yes, sir, that's what was told to me by
19 the -- by hunter.

20 Q. So what you stated to Holifield was -- you
21 did state that -- to Holifield that Michael Jenkins
22 had produced a handgun?

23 A. Yes, sir, that's what was told to me.
24 That's what Hunter told me, that Michael Jenkins had
25 pulled a gun on him, he drew his weapon and fired at

1 him.

2 Q. Okay. And you believed Hunter Elward?

3 A. Oh, yes, sir, at that time I believed him.
4 Yes, sir.

5 Q. And you stated earlier that all of your
6 systems were working until you found out that they
7 were -- had lied to you about that night?

8 A. I felt like they were working until -- I
9 couldn't comprehend anything like this ever
10 happening. Even this night -- again, he told me
11 that and I believed him until -- like I said, I
12 didn't find out the truth until June of that year.
13 What, five or six months later is when I found out
14 the truth.

15 Q. So was Hunter Elward placed on any kind of
16 administrative leave or suspension that night?

17 A. Yes, sir, he was placed on administrative
18 leave for being involved with an officer-involved
19 shooting.

20 Q. Okay. But now in terms of them lying to
21 you, you really don't know how long they had been
22 lying to you; is that right?

23 A. I know they lied about this incident.
24 It's been proven that they were lying. I don't know
25 that they lied to me before or not, but this one

1 they definitely did.

2 Q. So you do not know whether this was the
3 first time that they had been lying to you?

4 A. This is the first time I know that they
5 lied to me.

6 Q. You cannot state -- pardon me.

7 You cannot state that this was the first
8 time that these convicted officers had lied to you?

9 A. This is the first time I know for a fact
10 that they lied to me.

11 Q. But you really don't -- you really can't
12 say for sure?

13 MR. DARE: Whether he knows when they lied
14 to him? I'm -- I'm going to object. It's
15 argumentative and asked and answered. But you can
16 certainly ask it again if you need to.

17 Q. (By Mr. Shabazz) Okay. Well, I mean, you
18 don't know whether or not this is the first time
19 they've lied to you?

20 A. This is the first time that -- like Hunter
21 Elward, he lied to me. Again, I didn't know it
22 until several months later that all of them were
23 lying.

24 Q. Okay. And so when you spoke to the MBI,
25 you were supporting Hunter Elward's position on the

1 shooting?

2 A. I wasn't supporting his position. I
3 related to the MBI agent what the deputy had told
4 me, which, at the time, I believed as being true.

5 Q. Okay. Let's go to Exhibit No. 6. Exhibit
6 No. 6 is the same agent.

7 A. Yes, sir, I'm looking at it.

8 Q. Okay. States that you told Holifield that
9 when he arrived -- Holifield states that when he
10 arrived he met with you and you stated that no
11 deputy had their body cameras on during the
12 shooting; is that true?

13 A. Well, yes, sir. I noticed that one deputy
14 didn't have his body camera on. I said, Where's
15 your body camera? And I'm trying to remember -- I
16 think it was Opdyke. And I said, Where's your body
17 camera at? He said, We were told not to wear it. I
18 said, Who told you not to wear it? And he never
19 would answer me, he never would give me a straight
20 answer. And then I found out that none of them had
21 recorded it.

22 Because at the time I still believed that
23 Brett had not been there and that Middleton was not
24 there. So I thought it was just these deputies
25 there. And none of them could tell me why their --

1 well, Hunter had a body camera on, but it was
2 covered where it wasn't -- couldn't be -- I don't
3 know if it was recording or not at that time, but
4 the lens was covered anyway.

5 But Opdyke obviously had an empty camera
6 mount. So I asked him and he kept telling me --
7 that's when the first red flag in this whole case
8 sort of popped up, is when they didn't have their
9 body cameras on.

10 And so I wanted to make sure that the MBI
11 guy knew that they didn't have their body cameras
12 on. Because, you know, a lot of times, nowadays
13 that's the first thing everybody wants to see or
14 preserve, is the body-camera footage.

15 So, yes, sir, I did tell him that they
16 didn't have their body cameras.

17 Q. So you made a determination that night
18 that no officer had their body-worn cameras on
19 during the incident?

20 A. Correct.

21 Q. And was that in violation of department
22 policy?

23 A. At the time I thought it was, that night I
24 thought it was. Because I actually talked to
25 somebody in the admin, because I was so mad they

1 didn't have their body cameras on, I said, you know,
2 I'm going to write them all up for it and punish
3 them for not having their body cameras on.

4 Well, then that's when the next day, I
5 can't remember who it was that pointed out to me, in
6 our old policy, there's an exception for wearing --
7 not having to wear their body cameras when dealing
8 with the CI or undercover officers. And that's what
9 they said they were doing, was helping with an
10 undercover drug deal.

11 But, also, the next morning is when I
12 found out about the taser discharges. My second red
13 flag on it. I said, you know what, I'm not going
14 to -- I'm not going to do anything, I'm not going to
15 do anything to interfere with the MBI investigation
16 or the FBI investigation. Because that's how we
17 actually sort of found out about the taser
18 discharges, was from a request by the MBI for the
19 taser data.

20 Q. So once you made a determination that no
21 body-worn cameras were being worn and also that
22 there were serious issues with the tasers, did you
23 take any action against the other officers besides
24 Hunter Elward?

25 A. Like I said, Hunter was put on

1 administrative leave. And then it was
2 Christian Dedmon's taser that had a large amount of
3 discharges on it, so I put him on restricted duty
4 until we could get to the bottom of it.

5 And again, also, there was a lot going on
6 at this time with MBI wanting to collect a bunch of
7 data, so I didn't want to interfere with their
8 investigation by starting an internal investigation
9 on these guys.

10 Q. So all of them continued to work for the
11 department?

12 A. Yes, sir.

13 Q. Was this matter -- the matter pertaining
14 to the body-worn cameras, was it referred to any
15 internal affairs person in your department?

16 A. Well, that's why I said I didn't take any
17 action, because at that time our SOP had an
18 exemption for undercover narcotics operations, which
19 how these guys knew that this was in there, I don't
20 know. But one of them brought up or somebody
21 brought up that that was in there and they never
22 would tell me who told them not to wear their
23 cameras. So again, it was red flags.

24 And the MBI investigation and later the
25 FBI getting involved, I didn't do anything

1 internally because I didn't want to interfere with
2 the federal or state investigation.

3 Q. Okay. But since you say there was an
4 exception in your policy, did you -- did you
5 initiate any kind of prompt investigation to
6 determine whether or not what they did on
7 January 24th met that exception for turning off
8 those cameras?

9 A. I told you that there's an exception in
10 there that was brought to attention the next day,
11 the next morning after the shooting. At that time,
12 like I say, with two red flags and it's just not
13 looking good from their side of the story, I didn't
14 want to take any action internally to jeopardize the
15 state or federal investigation. So, no, I didn't do
16 anything. I let MBI and the FBI work their end of
17 it because it started to sound more serious.

18 Q. So your position was to do nothing, in
19 terms of investigation and keep them on duty while
20 the MBI looked into the shooting?

21 A. No, sir, I didn't do anything. I fully
22 cooperated with both the federal and state agencies
23 and supplied them immediately with any information
24 they requested.

25 And, again, I wanted the truth just as

1 much as everybody else did. It just took, what,
2 four or five months for the truth to get to me.

3 Q. So you didn't investigate -- you didn't
4 investigate the turning off of the body-worn
5 cameras?

6 MR. DARE: Asked and answered.

7 THE WITNESS: I've already answered you on
8 that.

9 Q. (By Mr. Shabazz) Did you refer the
10 body-worn camera matter to anyone in the department
11 to investigate?

12 A. You know, I told you that I didn't want to
13 interfere with the serious investigation going on to
14 the sheriff's office by MBI and later FBI, so I
15 didn't take any internal action. Because I didn't
16 want to question them or make -- or do anything to
17 screw up the state's investigation or to jeopardize
18 their investigation.

19 So, no, at that time I didn't take any
20 actions on the cameras, because the red flags had
21 come up about them not wearing the camera, then the
22 taser downloads. And it just didn't look good and I
23 didn't want to mess up anything or anybody say I
24 interfered with a federal or state investigation
25 into my officers. So I let it go at that time.

1 Q. Okay. So how does the suspension
2 interfere with the investigation?

3 A. Because I would have to interview them and
4 talk to them and confront them about the camera
5 issue.

6 Q. How did that interfere with the
7 investigation?

8 A. Because I didn't want to talk to them or
9 anything to do about that incident that night.

10 Q. Now, Hunter Elward was placed on
11 administrative leave, correct?

12 A. Yes, as per our policy per any
13 officer-involved shooting. He told me that he was
14 in an officer-involved shooting, so everybody before
15 him has been put on administrative leave until
16 they're cleared.

17 Q. And that means he continues to get paid
18 while he's on administrative leave?

19 A. Yes, sir.

20 Q. And while he's on that leave is -- that
21 didn't interfere with the investigation against
22 Hunter Elward, did it?

23 A. What didn't interfere?

24 Q. Him being on leave, that did not interfere
25 with the MBI and the authorities investigating

1 Mr. Elward, did it?

2 A. No, sir, I don't think it interfered with
3 it. No, sir.

4 Q. So if you had to do it all over again,
5 would you -- would you continue, after this incident
6 knowing what you knew at the time, that the
7 body-worn cameras were off, it's questionable
8 whether it was within the policy that you had,
9 misuse of the tasers, would you still have left
10 these officers on duty and active members of the
11 department?

12 A. Well, I hope I never ever in my whole life
13 have to deal with a case as serious as this one.
14 But, again, there were some serious allegations by
15 you on these deputies, which ended up being true,
16 which I was lied to, I was left in the dark, nobody
17 told me anything. I had to learn off the news and
18 the internet of what the truth was. So five months
19 later when I found out the truth, I took immediate
20 action.

21 Q. Okay. And I'm just saying, if you had to
22 do it again, would you suspend these officers
23 immediately?

24 A. And I had the same information and the
25 same exact scenario?

1 Q. Yes.

2 A. Yeah, I mean, I wouldn't know -- I
3 wouldn't know any different than I did in January of
4 '23. If I was still being lied to and everything
5 else.

6 Q. I'm just -- I'm just -- I'm trying to get
7 it clear, you're giving me a long answer. I just
8 want a direct answer.

9 Would you have left these officers on duty
10 and operating in the Rankin County Sheriff's
11 Department if you had found out what you had found
12 out on the scene at that night and the next day
13 through, as you say, the media and everything, would
14 you have left them on duty again?

15 A. So if you're asking me if I knew the truth
16 about what happened now, I would have arrested them
17 myself that night if I would have known the truth.
18 That evening, I would have called the FBI and
19 arrested them myself that night if I had known the
20 truth that night. There wouldn't have been no
21 suspension or anything. They would have been in the
22 jail.

23 Q. Okay. Well, I'm not speaking about what
24 you knew later. I'm talking about from what you
25 gathered just say over the course of the next week.

1 When those allegations were made and you had a
2 chance yourself to look over your body-worn camera
3 policy and its exceptions and the taser logs and
4 everything surrounded this, if you had to do it
5 again, would you have suspended those officers from
6 operating in your department much earlier than you
7 did?

8 A. Again, Mr. Shabazz, I don't get what
9 you're -- because if I had known the truth then they
10 wouldn't be employed, they would have been in jail.
11 I would have arrested them immediately.

12 But if you're asking -- I guess I'm
13 confused on what you're asking me. Because I did
14 the best that -- I did what I thought was right at
15 the time. Because I didn't want MBI or FBI saying I
16 was interfering with the investigations by talking
17 to the deputies about the incident which they were
18 investigating.

19 So no, I think it would be completely
20 improper for me to do an internal investigation on
21 an ongoing FBI and MBA case. Yeah, I think that
22 would be totally improper.

23 Q. So faced with these same set of facts and
24 circumstances in regards to these officers remaining
25 on duty, you would have done the exact same thing?

1 A. If I --

2 MR. DARE: Are you going to -- so this
3 sounds like the same question now five different
4 times and that sounded like the exact same question.

5 MR. SHABAZZ: He never answered it. It's
6 not the exact same question but he is not answering
7 the question. What he's doing is saying that once
8 the truth came out. I'm not asking about the truth.
9 I'm talking about the allegation and the evidence
10 that he had in his hands and that he knew at the
11 time and that he, as he said, he got from me, the
12 press, the shooting.

13 I'm talking about comprehensive,
14 everything that he knew on January 25th through
15 let's just say the 26th, 27th, 28th 29th, would you
16 have done the same thing in regards to these
17 officers' status of employment? Would you have
18 conducted yourself the same way as you did?

19 MR. DARE: If he knew the exact same thing
20 to what he knew from January to June, would he have
21 done the exact same thing? Is that what you're
22 asking?

23 MR. SHABAZZ: I don't know about January
24 to June.

25 Q. (By Mr. Shabazz) I'm just talking about

1 within one week of this incident. Within one week
2 of this incident, if faced with this same set of
3 circumstances, this same shooting, this same
4 body-camera turnoff, this same set of facts and
5 circumstances, would you, faced with that today,
6 would you have -- would you do the same thing, let
7 these officers remain on duty and operate in
8 authority in your department?

9 MR. DARE: I'm going to object to form as
10 you've already been told about two of them who
11 didn't remain on the same way.

12 But with that, you may answer it one more
13 time if you understand.

14 THE WITNESS: So during your question you
15 said today, if I knew what I knew today, I would
16 arrest them and lock them up that night, if I knew
17 what I knew today.

18 If I knew what I knew a week after the
19 January 23rd incident with the same exact
20 circumstances, again, I would not interfere with a
21 federal of state investigation for an internal
22 investigation. When it appeared that there was a
23 possibility for much more serious charges to be
24 coming against these individuals. No, I would not
25 have risked an internal investigation to mess up a

1 state or federal investigation.

2 Q. (By Mr. Shabazz) Would you have suspended
3 those officers, faced with these same set of
4 circumstances again? Would you have suspended them?

5 A. I put one on administrative leave, one was
6 on restricted duty, two of them weren't even there,
7 allegedly, that lied to me, so I didn't even know
8 they were there. So how could I have taken action
9 on something I don't even know?

10 So if I knew what I knew today, again, I
11 would have arrested all of them myself. Back then,
12 I mean, like McAlpin and Middleton, they were saying
13 they weren't even there. Even Mr. Parker gave the
14 same story to the MBI, from what I understand, gave
15 the same story as the deputies, initially. I
16 understand now that he was scared to death.

17 So, yeah, I mean, based on the
18 circumstances, I would have taken pretty much the
19 same actions with the information that I had at that
20 time.

21 Q. So faced with that today, you wouldn't
22 act -- you wouldn't take any action today as
23 probably -- you wouldn't suspend them all?

24 A. I'd arrest all of them. If I knew what I
25 knew today, I would arrest everyone of them and

1 called the FBI myself.

2 Q. I'll move on behind that.

3 Let me show you -- let me ask you a
4 question here on these body-worn cameras. What were
5 your procedures to ensure that body-worn cameras
6 were in regular operation and not being turned off
7 by your deputies?

8 A. There was a policy in place that told them
9 how to do it and when to do it and they would come
10 by and download. So, really, I wouldn't know if
11 they were cutting it off or not, unless we needed a
12 specific video from a specific case and you went
13 there and that video wasn't there. Or like say
14 there was a use-of-force and you went to go review
15 the video and the video wasn't there. And if it
16 popped up that there wasn't any video, then that's
17 how I would found out.

18 Q. When was the body camera policy
19 established in Rankin? When were body cameras
20 implemented?

21 A. We started I think in '21, maybe, like
22 middle to late '21, 2021.

23 Q. Did you ever find, prior to the Jenkins
24 and Parker incident, did you ever find that he
25 body-worn camera officers -- pardon me.

1 Did you ever find that the body-worn
2 cameras by your deputies had been turned off
3 improperly at any time prior to the Jenkins-Parker
4 incident?

5 A. If it did happen and I was told, I don't
6 remember. At this time I don't remember a specific
7 case or incident. So at this time I don't remember
8 any.

9 Q. So you never found, prior to Jenkins and
10 Parker where your officers had turned their
11 body-worn cameras off?

12 A. If an incident happened I do not remember
13 at this time.

14 Q. And in terms of use-of-force reports, was
15 it your policy to review the body-worn camera
16 footage whenever your officers had filled out a
17 use-of-force report?

18 A. Back -- you're talking about in 2021?

19 Q. At any point between 2021 and the time
20 that the Jenkins-Parker incident happened?

21 A. I don't know if it was reviewed on each
22 one, but now it is. It's definitely on every single
23 use-of-force, the compliance director reviews the
24 video that goes along with that use-of-force.

25 Q. Okay.

1 A. So prior to that I don't know if they were
2 checked on every single incident or not, but now
3 they are.

4 Q. So previously you did not check the
5 body-worn cameras when reviewing a use-of-force
6 report?

7 MR. DARE: That's not what he said,
8 Counsel, and you know it.

9 MR. SHABAZZ: Okay, I'm asking.

10 Q. (By Mr. Shabazz) Previously, is it true
11 that you did not check body-worn camera footage in
12 conjunction with reviewing use-of-force reports by
13 your deputies?

14 A. No, I'm sure that they checked some of it
15 on the -- well, like if there was an injury or
16 something like that, I'm sure somebody reviewed it
17 to go along with the use-of-force. But, again, I
18 can't tell you specifically which ones were and
19 which ones weren't.

20 Now I can tell you for certain that every
21 single use-of-force, if there's a video to go along
22 with it, it's reviewed. Actually, the video is
23 reviewed to make sure it is there.

24 Q. I'm getting to your changes. And I
25 clearly understand why you made those changes. But

1 I want to go in to what happened before those
2 changes were made.

3 Now, you say "they", who is the "they"
4 that reviewed the body-worn camera footage in
5 conjunction with the use-of-force reports?

6 A. Well, the captain of patrol would have or
7 if there had been a complaint filed, then they would
8 have pulled it then. I think at that time -- I
9 can't remember now if we had some in the jail, a
10 couple of body cameras back there, and then I think
11 we had a couple -- because like I said, we ordered
12 the body cameras. It took a while to get them, to
13 get a policy in place, then to get them up and
14 going, the technical part of it.

15 So I don't -- they slowly grew throughout
16 the department. It wasn't like everybody got one
17 immediately. So it took a little while to get them
18 all up and going. Even now everybody doesn't have
19 one, but all the patrol people do or the high-risk
20 people, like warrants officers and stuff like that
21 have them. But it took a while to build up to that
22 point.

23 So, you know, I guess, like the captain of
24 court services, if he had a deputy going to serve a
25 warrant on somebody, there was a conflict there then

1 that should have been reviewed on the video. If
2 there was some kind of use-of-force issue with a
3 traffic stop on patrol and there were injuries
4 involved with it, I would assume the captain of
5 patrol would have reviewed it. Same thing with the
6 jail, the jail administrator would have reviewed
7 those back there.

8 But, again, now, every single use-of-force
9 is reviewed by the compliance director and that's in
10 every part of the department, the jail, court
11 services and patrol.

12 Q. But prior to that, none of that was in
13 place, correct?

14 A. You know, I just told you that, yes, I
15 would have to go back and see which ones were and
16 which ones weren't. But the captain of patrol or
17 the captain over at court services would have
18 reviewed -- well, I don't even know if the captain
19 of court services could review them initially. So
20 the captain of patrol or if Paul Holley at one time,
21 he was reviewing them, he could review them on his
22 computer.

23 So, yes, on particular instances, just
24 depending on the incident, it would be reviewed or
25 not.

1 Q. Okay. Do you have a record of the times
2 when the body-worn camera has been reviewed by your
3 department according to the various ways you have
4 described?

5 A. Yes, sir, I do now, yes, sir. Yes, sir, I
6 can go back and pull every single one of them of
7 when it was reviewed.

8 Q. You can pull every instance in which the
9 body-worn camera was reviewed by your department?

10 A. Yes, sir, now I can. Yes, sir, since we
11 started the compliance director.

12 Q. No, prior to Michael Jenkins and
13 Eddie Parker being in the incident, can you pull
14 those records for your review of body-worn cameras?

15 A. I would have to check with the patrol and
16 the undersheriff files and stuff to see if a record
17 was kept then or not. And there may be something --
18 I'm not familiar enough with the camera system,
19 there may be something on the camera system that
20 shows whether it was reviewed or not. There may be
21 a supervisory check or something on there. I would
22 have to review and see. I'm not very technical.

23 Q. So you -- is it true that you really did
24 not have a recordkeeping system of your review of
25 body-worn cameras and the reason that they were

1 reviewed prior to you putting your new system in
2 place?

3 A. No, sir, I would have to go back and see
4 which ones were reviewed and why they were reviewed
5 and report that back to you.

6 Q. Did you review the body-worn cameras at
7 any point?

8 A. No, sir. I don't have access to the
9 program. Again, I'm not very technical on it. So,
10 no, I have not reviewed any.

11 Q. Now, if you came to understand that
12 testimony in this case was stated by some of your
13 administrators that you were -- that you were the
14 person that would review the body-worn camera
15 footage, what would your response be?

16 A. That I would review something if they sent
17 it to me. I don't have the camera system on my
18 computer. So if they sent -- if they had one that
19 they thought I needed to look at, they would email
20 it to me or call me in their office and I would
21 watch it.

22 So, yeah, I would review it that way but
23 not -- I would -- as part of my job, I don't sit
24 down and go through and randomly check videos.

25 Q. Okay. So you did review some body-worn

1 camera footage?

2 A. Oh, yeah, I'm sure I've seen -- if
3 something happened on one, they'd call me in there
4 to look at it or say you need to take a look at this
5 or sent it to me, then, yeah, I have reviewed them.

6 Q. Can you like -- can you just recall before
7 the Jenkins-Parker incident, the last time you
8 reviewed an officer body-worn camera footage in
9 response to any set of circumstances?

10 A. No, sir, I can't remember the last time
11 I've looked at one. I would have to go back and
12 check my emails.

13 Q. Any time -- do you remember any time?

14 A. Yes, sir, I've had them emailed to me
15 before. They had asked me to come into the
16 undersheriff's office and I would look at their
17 computer and watch it.

18 I tell you, the last one was probably a
19 different officer-involved shooting we had a couple
20 years ago were two deputies' body cameras and the
21 guy came out of the attic, that's the last one I
22 remember reviewing.

23 Q. Who was that?

24 A. What deputies?

25 Q. What case? What matter was that?

1 A. It was an officer-involved shooting and
2 the deputies were Pickle (sic), I can't remember the
3 other one, I would have to go back to pull the case
4 up. But the guy came down out of the attic with a
5 gun and started shooting at the deputies. That's
6 the last one that I remember watching.

7 Q. And you reviewed the body-worn camera
8 footage in that matter?

9 A. Yes, sir.

10 Q. And so you can provide us the times that
11 you and your department reviewed body-worn camera
12 footage? You can provide --

13 A. I had -- I'm sorry. Go ahead.

14 Q. Provide us those details, right?

15 A. I can look that case back up and let you
16 know -- look the email back up, if they emailed it
17 to me, I'll let you know the date and time I did on
18 that one.

19 Again, now, I think there's a -- with the
20 compliance director, he's reviewing everything on
21 the use-of-force and randomly reviewing them. And I
22 know that he has a record of all that now.

23 Q. Body-worn camera footage is critical to
24 ensure that your policies are being adhered to and
25 that your deputies are not violating the civil

1 rights of the citizens of Rankin County; would you
2 agree?

3 A. You know, we'd operate a long time before
4 without the body-worn cameras, but, you know, we
5 started out with the in-car cameras.

6 So, yes, it's a check and balance. But,
7 you know, you have to have, you know, an officer, a
8 deputy, you would hope -- your first line of defense
9 is to hire the right man, getting the right person
10 in the right job doing it for the right reasons.

11 So, you know, before all these cameras and
12 everything else, you know, there was trust there.

13 So now, like I said, ever since this deal
14 with Mr. Jenkins and Mr. Parker, it's like Ronald
15 Reagan said, it's trust but verified. So we're
16 doing our best to verify everything now.

17 Q. And in the case of body-worn cameras and
18 your other system, you realize that your trust
19 system was not working, correct?

20 A. In this particular case with these five
21 deputies who, you know, not only had they passed the
22 background investigation for the sheriff's office,
23 four of the five had passed the FBI violent crimes
24 task force. They had the in-depth background
25 investigation done on them for the FBI violent

1 crimes task force, all of which they were a member
2 of.

3 So, you know, if all these guys had been
4 doing all this stuff and my complaint system wasn't
5 working, why wasn't the FBI's complaints -- because
6 surely the FBI would have gotten a complaint on
7 them. As much stuff is being said about them and as
8 much stuff they're supposed to have done, somebody
9 besides me should have gotten a complaint. Wouldn't
10 you agree?

11 Q. If you had a -- if you had an inadequate
12 complaint system or an inadequate body-camera review
13 system, that would allow them to keep deceiving you,
14 right? If your systems are not -- and policies, are
15 not designed to hold them accountable --

16 A. At the time I thought --

17 Q. -- then that would actually -- that
18 would -- that would be a part of the reason why they
19 would go out and commit the acts that you now say
20 you made changes because of.

21 MR. DARE: Is there a question in there?

22 MR. SHABAZZ: Yeah. Yeah.

23 Q. (By Mr. Shabazz) Were your policies, which
24 you have described to us as being worthy of serious
25 change, you admit they were --

1 MR. DARE: I'm already going to object to
2 the form on that one.

3 Q. (By Mr. Shabazz) Do you admit that your
4 body-worn camera accountability policies were
5 insufficient?

6 A. No, sir, they're not insufficient. At the
7 time -- you know, we copied those --

8 Q. At the time?

9 A. -- from the State of Texas. I mean, the
10 State of Texas, that's there SOP. So, no, at the
11 time we thought we had a good SOP in place for the
12 body cameras. So, no, I thought it was a great
13 policy at the time.

14 Q. But why did you change it?

15 A. Because there's a loophole in there that
16 allowed four liars to -- five liars to get around on
17 me.

18 Q. So it wasn't working, correct?

19 A. Right, it wasn't working. But at the time
20 that we implemented the policy, I thought it would
21 be a good policy.

22 Q. Okay. And did you -- now with you
23 thinking that it was a good policy, did you have any
24 professional review of your body-worn camera policy
25 to make sure that it was the best body-worn camera

1 policy you could have in your department?

2 A. Well, you know, your attorney is supposed
3 to be good at researching stuff, so one of our
4 attorneys was supposed to research the policies and
5 procedures. So I guess he thought that was a good
6 policy, good enough for the whole State of Texas, so
7 we adopted that policy of theirs.

8 Q. Okay. I want to turn your attention to
9 exhibit number -- let's talk about your changes now.
10 Your changes. Because you felt that there was a
11 need for serious change in the body-worn camera
12 policy, correct?

13 MR. DARE: Nobody has ever said that. I
14 mean, I'm not -- I'm sorry --

15 Q. (By Mr. Shabazz) Did you say that there
16 was -- did you say you made real serious changes in
17 the body-worn camera policy?

18 A. No, sir, I never said "serious" that I'm
19 aware of. If I did, I'm mistaken.

20 But the biggest change in the policy is
21 that one exception for narcotics operations, which
22 we did away with.

23 Q. What other changes did you make? Tell me
24 about that change and then -- tell me about that
25 change.

1 A. Well, that change is the one that they
2 used that night for the Jenkins and Parker incident,
3 where they said they were doing a narcotics
4 operation which that policy had an exception for not
5 wearing your camera during undercover operations,
6 involving undercover officers or confidential
7 informants.

8 Q. Now, what's the reason for that exception?
9 Allowing the camera to be turned off under those
10 circumstances? What was the reason for that policy?

11 A. Because a lot of times if you're doing
12 undercover narcotics operations, you don't want to
13 get your confidential informant or your undercover
14 officer on video that could be subpoenaed to court
15 where their identity could be made.

16 Q. But those are for undercover officers,
17 right?

18 A. Yes, sir, undercover operations. Yes,
19 sir.

20 Q. On the night that the incident happened
21 between Michael Jenkins and Eddie Parker, these
22 officers were in uniform, correct?

23 A. From the lying version of it or the
24 not-lying version of it? What actually happened or
25 what they said happened?

1 Q. What actually happened?

2 A. All right. So Brett McAlpin would have
3 been plain clothes, Middleton would have been plain
4 clothes. Did I say -- who did I just say was plain
5 clothes?

6 MR. DARE: McAlpin --

7 Q. (By Mr. Shabazz) You said McAlpin and --

8 A. All right. Let me start back over.
9 McAlpin and Dedmon would have been plain clothes.
10 Middleton, Opdyke and Hunter would have been
11 uniformed.

12 Q. Now, for those officers in uniform, you
13 knew -- you knew when you arrived on the scene that
14 those officers in uniform did not qualify for the
15 turning off of the body-worn camera exception --

16 A. No, sir.

17 Q. -- according to your policy?

18 A. Well, Christian Dedmon and Brett McAlpin,
19 it's my understanding, told them it was a narcotics
20 operation and that's the reason they didn't wear it.
21 Because they were told it was a narcotics operation,
22 not to wear their cameras.

23 Q. But I'm just saying your knowledge. I
24 understand what McAlpin told them. But, I mean,
25 when you arrived and you knew that Elward, Opdyke

1 and Middleton were uniformed, you knew that they
2 were uniformed when you arrived on the scene talking
3 to the MBI, right?

4 A. Yes.

5 Q. And you knew that their body-worn cameras
6 had been turned off, correct?

7 A. No, I mean, it took a minute. Actually, I
8 think it was Opdyke that I saw and he didn't have
9 his camera in his holder. So, yeah, and that's when
10 I asked him where his body camera was.

11 Q. There's no danger to an officer having his
12 body-worn camera visible when he's in official
13 uniform, is it?

14 A. No, sir. But what they were using is the
15 excuse of the undercover narcotics operation, I
16 guess, with Dedmon being a narcotics investigator
17 and Brett McAlpin being undercover. It's my
18 assumption now that that's what they were using is
19 that they were still on an undercover narcotics
20 operation.

21 And, again, I didn't get into it with
22 them --

23 Q. Undercover --

24 MR. DARE: Hang on. Can he finish?

25 Q. (By Mr. Shabazz) Go right ahead.

1 A. So in the policy and procedure it says,
2 does not have to wear one with undercover or CIs.
3 And also under the impression that maybe possibly
4 Mr. Jenkins or Mr. Parker was going to be a CI or a
5 help or something like that.

6 Anyway, to make a long story short, I
7 asked them who told you not to wear your body camera
8 and they never would tell me directly. And that's
9 why I just sort of stopped, that bothered me. And,
10 again, I was going to write them up the next day. I
11 didn't realize that the exception was in there for
12 the narcotics thing until it was pointed out to me
13 the next morning.

14 And so I said the best thing to do is not
15 take any action and not interfere with this MBI or
16 FBI investigation.

17 Q. But you could have taken action against
18 the uniformed officers for not -- for removing their
19 body cameras that night? You could have taken that
20 action?

21 A. Sir, I'm telling you that the exception in
22 there -- you're thinking for the narcotics officers
23 wearing it. Narcotics operations, so uniform guys
24 go help narcotics people. So apparently -- I'm just
25 guess on this -- McAlpin or Dedmon or one of them

1 told them not to wear their cameras because this was
2 a narcotics operation that they were doing, which we
3 all know now it wasn't. It's a lie. But that was
4 their excuse, that exception in that policy is how
5 they got by on this.

6 Q. Okay. And that wasn't a good policy, was
7 it?

8 A. At the time I thought it was, yes, sir.

9 Q. But now you admit that it wasn't?

10 A. No, I admit that that section on narcotics
11 thing had to be taken out. The only, you know --
12 there's no reason not to wear a body camera, so we
13 took the part out where anybody could ever not use
14 that part -- not use that exception again.

15 Q. Because the exception could lead to the
16 kind of things that happened with Jenkins and
17 Parker, correct?

18 A. In this particular incident they used it
19 to cover up a crime that they were committing in
20 this particular incident.

21 Q. Do you have a system that tracks the
22 whereabouts of the officers on duty?

23 A. Yes, sir.

24 Q. Was this in place at the time of the
25 Jenkins-Parker incident?

1 A. Yes, sir.

2 Q. Can you describe that system?

3 A. Again, I'm not technical Mr. Shabazz. So
4 in dispatch there's all these computer screens and
5 one of these screens shows a map of Rankin County.
6 And when this system is working properly, it shows a
7 deputy's car and his portable radio. And on that
8 car they have his badge number and his unit number
9 and then it'll have his badge number on his walkie
10 talkie.

11 So they're sitting in dispatch, they see
12 this big screen with all the deputies all over the
13 county. And the purpose of it is to get help to
14 people fastest when 911 call comes in.

15 So a call comes in, if you're in Rankin
16 County and let's say you're in Flowood at a hotel,
17 you dial 911, it's going to pop up on that screen at
18 the hotel that you are at that you're calling 911,
19 but it's going to show -- and I'm using a bad
20 example for Flowood. Let's move out -- let's say
21 that you're at a hotel out in the county and -- say
22 you're over at the Reservoir at the campground. So
23 you dial 911 from the campground, it pops up, it's
24 going to show the closest deputies to your location.
25 Dispatch sends those closest deputies to respond to

1 you.

2 Q. Okay. So how did that -- how did that
3 tracking system work that night of the incident
4 between Jenkins and Parker?

5 A. It doesn't -- like a lot of our systems,
6 it doesn't hold the information for very long, maybe
7 like 30 days. And one thing it actually helped on
8 the investigation on the federal and state
9 investigation on Mr. Parker and Mr. Jenkins is it --
10 the -- I told y'all that the only time I really
11 talked to Brett, initially, Brett McAlpin, was that
12 night. And even after that it was my impression
13 that he kept telling people that he was never
14 there -- that he had left the scene and not come
15 back until after the officer-involved, the alleged
16 officer-involved shooting.

17 So with him that night it showed -- I
18 think he was in a spare vehicle, so his mobile radio
19 wouldn't be showing up, but he had left his walkie
20 talkie on. So his walkie talkie showed the time,
21 you know, showed his house, but it actually put him
22 at the residence when he said he wasn't at the
23 residence.

24 And, again, I didn't find this out until
25 later and this is when the MBI -- later on sometime

1 that week after, that's when MBI -- MBI either
2 requested it or somebody at the sheriff's office
3 found it and submitted the information to MBI with
4 all the radio information.

5 Q. And that officer, again, that you tracked
6 with the walkie talkie that you found, who was that
7 again?

8 A. Brett McAlpin. See he said he wasn't at
9 the house during this certain timeframe, but then
10 the walkie talkie wasn't saying the same thing.

11 Q. Okay. So you found out within a week that
12 Brett McAlpin had lied to you; is that right?

13 A. Yeah, later that week, yeah, that he
14 wasn't being truthful about his location or else he
15 had left his walkie talkie at the scene or
16 something. I don't know, you know, what his excuse
17 would have been. Again, I wasn't talking to him
18 after that because this case appeared to be getting
19 more serious.

20 Q. Yeah, but even though you knew that, you
21 allowed Brett McAlpin to continue as one of your
22 supervisors in your department as a chief
23 investigative officer; is that right?

24 A. Yes, sir, at that time. Because of the
25 ongoing investigation, I didn't want to interfere

1 with the FBI or the MBI's investigation.

2 Q. So even though he had lied -- even though
3 you knew for a fact that he lied to you about being
4 in the house during this serious incident, you
5 continued to allow him to function as your --
6 supervisory role as your investigative officer in
7 that department?

8 MR. DARE: Object to the form.

9 THE WITNESS: Mr. Shabazz, with all due
10 respect, I just sat there and told you I didn't know
11 if he left his walkie talkie there, I don't know if
12 he had it with him. I don't know if the times are
13 right on the computer. I just know it was another
14 red flag in this case. And we furnished that
15 information to MBI and FBI.

16 So I didn't know for a fact he did
17 anything. I was still in the dark on everything.
18 MBI and FBI aren't telling me anything. I'm -- it's
19 a one-way street, information going out.

20 So I'm just -- you asked me how the system
21 worked, I told you how it worked. Whether it's
22 accurate, whether it's correct or not, I don't know.
23 You asked me how it worked and I told you how it
24 worked that night.

25 Q. I mean, I understand. I just wanted to

1 know was he allowed to just continue on --

2 A. I'm telling you I don't know if he was
3 there or not there. I don't know if somebody else
4 had his walkie talkie. I let the FBI and MBI handle
5 that. So I don't know, I can't tell you.

6 Q. Let's go here. Let's go here, sir. I
7 want you to look at Exhibit No. 7.

8 A. Okay.

9 Q. And let me ask you, what -- you said that
10 body cameras was instituted in '20 or 2021?

11 A. I said I believe it was around possibly
12 October of '21, around there. But it took a while
13 to get them implemented and up and going.

14 Q. So was the body-worn camera system in
15 place at the time Damien Cameron was killed?

16 MR. WALKER: July of '21.

17 THE WITNESS: No, not for -- if I said we
18 started implementing in October of '21, then that's
19 before -- that's after July of '21. So I don't -- I
20 think we may have had them, but they hadn't been
21 issued out yet. Maybe they had shipped them, but
22 they hadn't been issued out. I'd have to check on
23 that and see.

24 Q. (By Mr. Shabazz) Okay. Now, who -- let me
25 ask you this. Who reviewed the body cameras after

1 each shift?

2 A. Like?

3 Q. Who reviewed the body-worn camera system
4 to make sure that no cameras were turned off, like
5 say after the night shift?

6 Was there somebody in the department that
7 was in charge of making sure that after the night
8 shift that there was no cutoffs or improper actions
9 with the body camera?

10 A. I don't know of any physical way possible
11 to check every single video, every hour of every
12 video, I don't know of any way you could do that.

13 But, you know, currently, we have Wayne
14 Carter -- let me backup.

15 The captain of patrol and I think -- I
16 don't know if the jail administer does his or not,
17 and the investigators now have -- we have some body
18 cameras back there for them to use. So they're
19 supposed to -- oh, I know what it is I'm thinking,
20 the lieutenants on each shift are supposed to review
21 X amount of videos per week and maybe even the
22 sergeant's supposed to help them. I'd have to look
23 that up to tell you for sure. Then the captain
24 reviews what the lieutenants reviewed. And then the
25 compliance director reviews and checks up on what

1 the captain reviewed.

2 So it's one, two, three, so four different
3 people checking. But still there's no way you can
4 check every single minute of every single video of
5 every single officer.

6 Q. Now that review system, was that in place
7 at the time of the Jenkins-Parker incident?

8 A. No, sir.

9 Q. Okay. So these are another one of the
10 changes you made as -- changes you made later,
11 right?

12 A. Yes, the change to improve the sheriff's
13 office.

14 Q. Okay. So this system of the routine or
15 systemic review of body-camera-worn compliance came
16 after the Jenkins-Parker incident, correct?

17 A. Yeah, the compliance director was
18 definitely started after that. I'm trying to
19 remember -- I don't remember the exact setup on how
20 they review them, but I think it starts with the
21 sergeant, lieutenant, captain and then the
22 compliance director. So there's several different
23 layers of people checking.

24 Q. But you agree without those checks and
25 balances that could encourage officers to turn off

1 their body camera; is that right?

2 A. No, sir, I wouldn't say that. I would
3 hope that they would use it the way it was supposed
4 to be used. That they'd cut it on when they were on
5 a call or dealing with a case, you know, and cut it
6 off afterward and mark it, log it properly, is what
7 I'd hoped they would do.

8 Q. But earlier you said that you can't trust
9 or you have to verify, is that what you said
10 earlier?

11 A. Yes, sir, now we're verifying through the
12 compliance director in the steps I just explained to
13 you a minute ago, we're verifying.

14 Q. And so you weren't verifying compliance
15 with the body-worn camera policy at the time that
16 Jenkins and Parker were -- had their incident?

17 A. I wouldn't say we weren't verifying. We
18 were trusting them to do the right thing. And I
19 guess we'd find out if they weren't doing it
20 properly when we get to look for a video and if it
21 wasn't there, then there would be an issue. So I
22 wouldn't say we weren't verifying it.

23 Q. But your verification system was
24 inadequate; is that right?

25 A. No, at the time I didn't think it was.

1 Q. But you found out that you had to change
2 it because it wasn't adequate, right?

3 A. No, I changed it because we want more
4 checks and balances and we're trying to improve the
5 sheriff's office and improve out accountability,
6 so -- but at the time I thought that the system we
7 had was okay.

8 Q. But you found out that it wasn't when
9 you -- when you had no body-worn camera footage of
10 the Jenkins-Parker incident, you found out that your
11 system was not -- was not --

12 A. No, I found out that five liars exploited
13 a loophole in our policy and procedure to get around
14 wearing their body cameras.

15 Q. And that you needed a system in place to
16 deal with liars?

17 A. I needed to adjust my policy and needed to
18 make our department more accountable.

19 Q. Policies make up -- strong policies make a
20 strong system; is that right?

21 A. Yes, sir. At the time I thought I had
22 strong policies. I thought I had good, honest
23 people working with me, not five liars, again, who
24 even passed the FBI background investigation.

25 Q. So when you say you thought, I mean, are

1 your thoughts based on professional advice or are
2 they just your thoughts?

3 A. At that time, again, the body cam -- the
4 SOP was copied direct from the State of Texas. I
5 would think that with all of the great minds you
6 have in law enforcement over there, that that would
7 be a pretty good one to start out with to follow.
8 Obviously, it wasn't. So we had to stop and
9 readjust, you know. I never would have thought that
10 that loophole would have been in there, but it was.

11 Q. Okay. Making readjustments is good, I
12 think that's what society wants.

13 Just so I can be clear, what are the lists
14 of adjustments or changes in specific that you made
15 in the body-worn camera policy after the
16 Jenkins-Parker?

17 We talked about a lot of things, but I
18 just want to get clear of the list of -- official
19 list of changes that you made in body-worn camera
20 compliance after the Jenkins-Parker incident?

21 A. We would have to get both of them and put
22 them side-by-side to look to make -- I can't give
23 you exact specific changes. The biggest change we
24 were looking for though was that narcotic exemption,
25 which we've done away with.

1 Q. Okay. But you said you made other changes
2 such as weekly reviews -- I'm paraphrasing. You
3 said you had weekly reviews and a system now that
4 regularly reviews --

5 A. No, daily reviews. Yeah, I would have to
6 get the policy and tell you exactly. I don't have
7 it here in front of me. But now it's reviewed on a,
8 pretty much a daily basis.

9 Q. Okay. It's reviewed on a daily basis?

10 A. Uh-huh (affirmative response).

11 Q. And these changes were made because of
12 what happened?

13 A. Yeah, part of what happened. Yeah, making
14 ourselves -- improve our department and making
15 ourselves more accountable is exactly why it
16 happened.

17 Q. Okay. All right. Let me -- let me just
18 ask you about use-of-force reports again.

19 A. Okay.

20 Q. I'm coming to Exhibit 7 next.

21 When it comes to use-of-force reports, do
22 you have a record -- do you have copies of records
23 of all use-of-force reports that are submitted by
24 your officers?

25 A. Yes, sir, should be on file. I started it

1 when I first got elected, requiring them to fill out
2 a use-of-force report.

3 Q. Okay. And so if I was to ask you for all
4 of your use-of-force reports for the year 2022, you
5 could give them to us, correct?

6 A. Yes, sir. The ones that were turned in
7 that are on file at the sheriff's office, yes. If
8 it's in my possession, we have it.

9 Q. And that would be the same for every year
10 you've been sheriff; is that right?

11 A. Yes, sir. I think I started -- I don't
12 know if it will be a full year in 2012, but I think
13 I started it in 2012. So ever since 2012 there
14 should be a full year of them.

15 Q. Full year of them.

16 Now, you said whenever they were turned in
17 and I'm sure your attorney is going to give us those
18 use-of-force reports.

19 About how many per year would you get from
20 your officers?

21 A. I'd have to go count them and see.
22 Because it's broken down by the patrol, the jail and
23 the juvenile detention center, so I'd have to give
24 you a breakdown on it.

25 Q. Okay. Well, just comprehensive, out of

1 all three of those sources, jail, juvenile
2 detention, patrol, how many use-of-force reports --
3 let's just break it down to the month, about how
4 many per month would you receive?

5 A. I'm not going to guess. I'll be glad to
6 go back and give you an exact number. I'm not going
7 to guess.

8 Q. But you have copy all -- you have copies
9 of all those use-of-force reports?

10 A. Yes, sir.

11 Q. And do you have records of what you did in
12 response to following up on those use-of-force
13 reports?

14 A. Response to what I did?

15 Q. Do you have like a logging or tracking
16 system where if you get a use-of-force report and
17 then you took step A, step B in response to that
18 use-of-force report?

19 A. No, sir, the --

20 Q. Do you have a tracking system with your
21 use-of-force reports?

22 A. Yeah, I mean, they're in a filing cabinet
23 sorted by month. So, I mean, they're easily
24 accessible. And if anybody used a taser as part of
25 use-of-force, their taser download should be

1 attached to it. So, yeah, they're all on file there
2 in order by year and by month.

3 Q. So did every time a deputy use a taser,
4 was a use-of-force report required to accompany that
5 taser use?

6 A. Yes, sir, they were supposed to fill -- if
7 it was used on a person during a use-of-force
8 incident, then they should have downloaded their
9 taser and printed it off and attached it to the
10 use-of-force report.

11 Q. So you have use-of-force reports that
12 correspond with all taser use by your deputies?

13 A. If the taser was used on a human being
14 during a course of arrest or something like that,
15 where a use-of-force report needed to be done, the
16 taser download should be attached to it.

17 Q. And do you have a system to ensure that
18 your deputies were filling out a use-of-force report
19 in your department every time they used their taser
20 on a human being?

21 A. Yes, sir, they were, per our policy, they
22 were supposed to fill out a use-of-force report,
23 download their taser and print that download and
24 attach it to the use-of-force and turn it in to
25 their supervisor.

1 Q. Was that policy in effect at the time of
2 the Jenkins-Parker incident?

3 A. Yes, sir. I told you I started that when
4 I became sheriff in 2012. So maybe that first full
5 year would be 2013. But, yes, sir, it started back
6 then.

7 Q. So you have records of the taser use and
8 use-of-force reports that accompany such taser use?

9 A. I don't know where you're going with this.
10 But I have a use-of-force report. Okay? If they
11 use force on somebody, they are supposed to turn it
12 in. So I have this use-of-force report. If they
13 used their taser on that person, then they are
14 supposed to have attached that taser download to it.
15 That's my answer.

16 Q. Okay. What if they didn't? What if they
17 used a taser and didn't give you a use-of-force
18 report, what system do you have to hold them
19 accountable or check behind to make sure that that
20 taser use had a use-of-force report accompany it?

21 A. You're going to have to ask the question
22 again, I lost you.

23 Q. What system did you have in place to make
24 sure that use-of-force reports were being turned in
25 with the taser use that the deputies used?

1 A. Well, their supervisors -- they were
2 supposed to turn it in to their supervisor, who'd
3 sign off on it and then that should be turned in to
4 the captain of patrol or chief investigator or jail
5 administrator, whoever, and then those would be
6 filed in the program.

7 Now that we have the -- you know, the
8 taser sort of evolved over a period of time and so
9 did the software. So now there's a difference
10 between -- you're supposed to be able to tell the
11 difference between somebody just pulling the trigger
12 on a taser or whether it actually made skin contact
13 with somebody.

14 Now I don't know if we have anybody -- I
15 know we don't have anybody to read that information
16 yet, hopefully we will soon, but -- so now all
17 tasers are downloaded quarterly. Every deputy is
18 supposed to bring in their taser and download it
19 quarterly. And the taser usage is reviewed
20 quarterly now.

21 Q. When you say "now" that means after
22 Jenkins and Parker?

23 A. Yes, sir. Well, after we changed our
24 policy, again, trying to make the sheriff's office
25 more accountable in verifying them.

1 Q. So prior to that, none of that was taking
2 place, in terms of the downloading of the taser
3 information?

4 A. Oh, no, sir, they were downloaded all the
5 time. You know, if they were used, they were
6 downloaded.

7 Q. Who was in charge -- at the time of
8 Jenkins and Parker, who was in charge of checking
9 behind on that taser use?

10 A. On downloading the tasers?

11 Q. Yes.

12 A. It would have been Dwayne Thornton who was
13 captain of patrol.

14 Q. Was he doing his job correctly?

15 A. Was he downloading tasers; is that your
16 question?

17 Q. Was your system -- at the time of Jenkins
18 and Parker, was your system for ensuring that the
19 deputy's taser use was appropriate?

20 Was your system effective at the time of
21 Jenkins and Parker?

22 A. You're asking me two different questions,
23 so I -- so if you don't mind, ask me the question
24 you would like for me to answer.

25 Q. Okay. You've told me that Mr. Thornton

1 was in charge of it. Okay. Did you -- did you have
2 a system where you reviewed the taser use with
3 Mr. Thornton to make sure that, in your supervisory
4 capacity, that your system that you had setup
5 through Mr. Thornton, that it was holding deputies
6 accountable for improper taser use?

7 A. I told you that Mr. Thornton downloaded
8 the data from the tasers. And I've told you that if
9 the use-of-force report -- if force was used on
10 somebody, the use-of-force report was filled out.

11 If a taser was also used during that on a
12 human being, then the use-of-force would be attached
13 to that and that attachment would come from
14 Mr. Thornton, who would download, and I'm assuming
15 he would review it when he downloaded it.

16 Q. Did you review these uses with
17 Mr. Thornton?

18 A. No, sir. I mean, not unless there was
19 some kind of issue with it I wouldn't review it. I
20 would review it if there was an issue brought to my
21 attention.

22 Q. Okay. How often would that happen?

23 A. Not very often.

24 Q. Okay. About how often?

25 A. I can't give you a number. Not very

1 often.

2 Q. Once a year, once every two years?

3 A. I'm not going to give you a number because
4 I don't know. I would have to, you know -- I don't
5 even know -- I would have to go back and research
6 and go through the -- all of those use-of-force
7 reports and see which ones I could remember or not
8 remember.

9 Q. Okay. And the only use-of-force
10 reports -- I know you can't give me an exact number,
11 but, I mean, just on the average, how many
12 use-of-force reports was your deputies in your
13 department turning in every month?

14 A. I've answered that. I don't know what to
15 tell you. More than one. More than one a month.
16 How about that?

17 Q. One, two? I mean, just on a typical month
18 would it be one use-of-force report, two --

19 A. No, sir, I'm not going to guess. I'll be
20 glad to find that information for you and get back
21 with you on it and give you some more exact numbers.
22 But I'm not going to guess because I can't even
23 guess. Because, again, I have patrol, the jail and
24 JDC, so I can't guess.

25 Q. Okay. But you will give us copies of your

1 use-of-force reports that you received?

2 MR. DARE: You can ask for them.

3 THE WITNESS: Yeah.

4 MR. SHABAZZ: I think we have asked for
5 them, but I can get back on that.

6 MR. DARE: You want copies of every single
7 use-of-force report? I must have missed that in the
8 request for production.

9 MR. SHABAZZ: I got to look back at the
10 request. But that's fine for now. Hold one second.
11 One second.

12 Q. (By Mr. Shabazz) Let's go here. Let's go
13 here and then I'm going to take a break after this.

14 Let's go to Exhibit 7, please.

15 A. Yes, sir.

16 Q. Exhibit 7, it's a composite exhibit. And
17 do you recognize the individual in these
18 photographs?

19 A. No, sir, I don't.

20 Q. This is Mr. Christopher Mack.

21 Mr. Christopher Mack is alleging that he
22 was beaten up inside of the Rankin County jail by
23 your deputies. Okay? He's further alleging -- and
24 received these injuries that you see. Okay?

25 MR. DARE: To clarify, he's no longer

1 alleging. That case has been dismissed.

2 MR. SHABAZZ: Okay. He's not alleging,
3 he's not filing a lawsuit, but he's still alleging
4 that this occurred, even though the time -- the
5 timing -- he missed his time on his lawsuit, but
6 he's still standing by his allegations.

7 Q. (By Mr. Shabazz) Okay. So what I'm
8 telling you, Mr. Bailey, is that Mr. Christopher
9 Mack -- are you looking at these photos?

10 A. Yes, sir, I glanced at them.

11 Q. You see the one with the two black eyes
12 and the hood on his head?

13 A. The first picture?

14 Q. He has two black eyes and a --

15 A. That one?

16 Q. Yes, sir.

17 A. Uh-huh (affirmative response).

18 Q. Is that the Rankin County Sheriff's
19 Department behind him?

20 A. Yes, sir, it appears so.

21 Q. And let's go to the next one.

22 You see that picture with the bruises on
23 his forehead?

24 A. Yes, sir. I don't know if that -- I don't
25 know what that is, I don't know if it's bruises or

1 eczema or what, but, yeah, I see marks on his
2 forehead.

3 Q. And you see the one after that with the
4 black eyes on each side?

5 A. I got one with the left eye and, okay,
6 yes, sir, I got both of those.

7 Q. There's one after that with marks on his
8 back?

9 A. Yes, sir, I see that one.

10 Q. Bruises on his side?

11 A. Uh-huh (affirmative response).

12 Q. And there are a few other photos with
13 bruises on his body and his face. Do you see those?

14 A. Yes, sir.

15 Q. Okay. Mr. Mack alleges that he was
16 taken to -- that he was beaten inside of the Rankin
17 County jail. Do you know anything about that?

18 A. No, sir. I remember the name but I don't
19 remember the details of the case. I'd have to
20 research it.

21 Q. Okay. So you do remember the name?

22 A. Yes, the name sounds familiar. That's all
23 I can tell you.

24 Q. How do you remember the name?

25 A. I don't know. I'd have to research it and

1 read, but I do -- the name sounds familiar, that's
2 all I can tell you.

3 Q. Okay. Are you familiar with his claim
4 that he was taken from the jail to the hospital?

5 A. No, sir, I'd have to review whatever the
6 complaint was and whatever reports we have. Like I
7 say, the name sounds familiar, but I don't know any
8 details.

9 Q. Okay. And in these photographs he's
10 alleging that he was released from the hospital and
11 came to see you personally in your office after his
12 release from the hospital. Do you recall that?

13 A. No, sir.

14 Q. Okay. And do you recall him complaining
15 to you personally about your deputies beating him in
16 the jail?

17 A. No, sir. If he'd come to my office with
18 two black eyes like that I would remember him. I
19 don't remember him. I would hope that I would
20 remember him. But, no, I don't remember him. Like
21 I say, I would have to research his name and see --
22 see when this was and find some more facts on it.

23 Q. But if in fact he was -- did receive these
24 injuries from a beating in the jail, that's a matter
25 that you would say should have been investigated; is

1 that right?

2 A. Yes, sir.

3 Q. Okay. And this -- and if he did bring it
4 to your attention, that would have been a matter you
5 should have followed up on, correct?

6 A. Yes, sir. Well, I don't -- I think he's
7 mistaken on talking to me. I don't remember talking
8 to him. I'll be glad to double check and see. Is
9 that the date that he was supposed to have come,
10 October '23?

11 MR. WALKER: No.

12 THE WITNESS: That's the date he's
13 supposed to come to see me at the sheriff's office?

14 MR. WALKER: No.

15 Q. (By Mr. Shabazz) No, no, that's not the
16 date.

17 A. You can tell the parking lot's empty. It
18 looks like a weekend or something.

19 Q. This was around January 20- -- this is in
20 the month of January 2021.

21 MR. DARE: Or as alleged in the complaint,
22 May of 2021, either one of those two.

23 Q. (By Mr. Shabazz) Okay. So are you aware
24 of incidents -- are you aware of incidents in which
25 use-of-force reports -- pardon me.

1 Are you aware of incidents either in the
2 jail or in the field where use-of-force reports
3 should have been completed and were not?

4 A. Not off the top of my head. I mean, none
5 stand out to me.

6 Q. None?

7 A. Not that I can remember right now, no,
8 sir. I mean, I'm not saying there's not any that
9 should've been done, but I don't know of any off the
10 top of my head.

11 Q. And assuming that -- making the assumption
12 that Mr. Mack is telling the truth, is there any
13 reason that your deputy should have used this amount
14 of force on him?

15 A. I don't know enough about that case to
16 make a statement on it, Mr. Shabazz. I don't know
17 anything about this case. I'd have to research it.

18 MR. SHABAZZ: Okay. All right. I'm going
19 to take a break right now.

20 (Off the record at 2:31 p.m.)

21 Q. (By Mr. Shabazz) Mr. Bailey, we're back on
22 the record. Take you back for a minute here. Let
23 me -- you stated earlier that the IT department that
24 provided the documents in this case to your
25 attorney; is that right?

1 A. Yeah, our reporting system, the server's
2 kept at our IT department. So the information that
3 they requested, I think it was offense reports, some
4 offense reports is stored on there. So they
5 downloaded it to a hard drive for our attorney who
6 supplied it to the DOJ.

7 Q. And you stated that these IT persons do
8 not work for you?

9 A. No, sir.

10 Q. Is that true?

11 A. Right. Yeah, they work for the IT
12 department.

13 Q. IT department of who? Who do they work
14 for?

15 A. The Rankin County IT department.

16 Q. Rankin County IT department. Okay.

17 Do you know who heads that department?

18 A. Yes, but his name just slipped out of my
19 mind. I'll think of it in just a second, but
20 Kurt --

21 MR. DARE: Wiltz.

22 THE WITNESS: Yeah, Wiltz is his name.

23 Q. (By Mr. Shabazz) Kurt Wiltz. Can you
24 spell that?

25 A. No, sir --

1 MR. DARE: It's Wiltz Cutrer.

2 THE WITNESS: I can't spell it, no.

3 MR. DARE: W-I-L-T-Z, C-U-T-R-E-R, I
4 think. It's Cutrer, though.

5 Q. (By Mr. Shabazz) Okay. And he's the
6 person that produced all of those documents that
7 were stored on a hard drive that had been produced
8 in this case?

9 MR. DARE: No. I'm sorry. You were
10 asking about -- and I'm sorry for interrupting. You
11 were asking about production of documents to the
12 DOJ.

13 Q. (By Mr. Shabazz) So can you tell me what
14 documents does this IT department possess? What
15 documents do they possess, not limited to DOJ, just
16 what do they have?

17 A. I'm not sure what all they asked for what
18 and all was provided for them. Because our attorney
19 is reviewing the information before it goes to them.
20 So I can't tell you what's been released and what
21 hadn't been released.

22 Q. Okay. I mean, do they have your
23 use-of-force reports?

24 A. Again, I don't know what all of
25 information -- I'm not certain what all they asked

1 for. They've been doing this through our attorney
2 for the sheriff's office and he's been reviewing it
3 before he releases it to them. So I don't know what
4 all has been released to them or not released.

5 Q. Okay. But they maintain the documents for
6 your department, this IT department, correct?

7 A. They maintain the server for our reporting
8 system, which is the PTS system we talked about
9 earlier, which would be the offense report system,
10 the jail booking system and the computer-aided
11 dispatch system.

12 Q. All right. I'm going to take you back to
13 the taser policy. Taser policy, couple of
14 questions.

15 Now, your current taser policy in place
16 says what?

17 A. You're going to have to give me a copy of
18 it and I can read it to you.

19 THE WITNESS: Do we have that here?

20 MR. DARE: Do you want him to read the
21 taser policy?

22 MR. SHABAZZ: Yes.

23 MR. DARE: Okay.

24 Q. (By Mr. Shabazz) Can you just go over that
25 for a minute, and your current policy date is

1 November 2023.

2 Can you just tell me about your taser
3 policy, your current taser policy?

4 A. I'm waiting to get the policy.

5 MR. SHABAZZ: Mr. Dare, can you just --
6 while you get the policy in place I'll just ask a
7 few other questions so we can make use of time.

8 THE WITNESS: Okay.

9 MR. SHABAZZ: When you get that in place I
10 want to ask a couple of other questions.

11 Q. (By Mr. Shabazz) Now, you stated
12 repeatedly that these five deputies lied to you?

13 A. Yes, sir.

14 Q. Have you conducted any investigation to
15 see if these deputies had lied to you about other
16 incidents in the past?

17 A. Yes, I know that we've conducted some more
18 investigations on some allegations that were made
19 against them by -- or some of them by other people.
20 And I'd have to go back through each one to see
21 where the discrepancies were. But off the top of my
22 head I can't give you a specific case where they
23 lied. But I know that night of the shooting that
24 they definitely lied to me.

25 Q. Now, in terms of the other incidents,

1 which incidents did you review to see whether or not
2 they had lied to you?

3 A. Again, I'd have to go back and find the
4 allegations. Like, I think there were some made in
5 a New York Times article that we went back and
6 reviewed and we took some action on. But I would
7 have to have those specific names and cases that I'd
8 have to look back up to tell you what happened on
9 each case.

10 Q. But right now you don't -- you can't --
11 you're saying you don't have a record or a record or
12 a recollection of your review of their past
13 performance?

14 A. Yes, sir, I have a record and I'm telling
15 you that I can't recall what happened on each one
16 off the top of my head. I'd have to review each
17 individual case to tell you what happened with it.

18 So, no, I'm not saying I can't recollect.
19 I can recollect that there were some more
20 investigations due to some allegations made against
21 them. And, yes, there are records, there's
22 investigative reports on these allegations that I'm
23 positive there were some action taken on a few of
24 them.

25 Q. Let's narrow it down to the action. The

1 ones that you took action on, can you recall the
2 ones you took action on?

3 A. Not every single one. Like I said, there
4 were names in the article that we did go back and
5 research. And I know there were some former
6 deputies that were still on the reserve program that
7 I terminated because they would not come in for an
8 interview on that. So I know there were three or
9 four on that one that were terminated.

10 And then I'm not sure on the ones, the
11 original five from that night, which cases they were
12 involved with that on that article. Again, we would
13 have to go back and look at the article and then go
14 back and find the reports for me to tell you exactly
15 what happened on that.

16 Q. Now for the ones that were terminated, do
17 you recall which officers were terminated for not
18 coming back in for interviews?

19 A. Not all of them. I know it was Cody
20 Grogan, and there was like a couple more. Cody
21 Grogan and -- it was a reserve, what is his name? I
22 can't remember his name. I'd have to get the names
23 for you. But Cody Grogan and a couple more that
24 were terminated for not cooperating with the
25 investigation or not coming in and giving a

1 statement.

2 Q. Was one of them Luke Stickman?

3 A. I want to say Luke was -- he either
4 resigned or was terminated before this happened with
5 the Cody Grogan. He may have resigned prior to
6 being called in.

7 Q. Do you know why he resigned?

8 A. I don't. I'd have to look at his
9 personnel file. I can't remember if it's because he
10 found another job, maybe, or if it was related to
11 calling him in for the interview. But he had
12 resigned. I want to say that possibly he had just
13 resigned, in general, from the sheriff's office, but
14 I can't remember, I'd have to look at his personnel
15 file and see.

16 Q. Now how many officers were terminated for
17 refusal to comply with your investigation?

18 A. Again, it was one, two, maybe three or
19 four, but to give you an exact answer I'd have to go
20 back and review the files and the information to
21 give you an exact answer, which I can do.

22 Q. We can get that from your attorney or we
23 come back and ask you about it, right?

24 A. Yes, sir.

25 Q. Okay. So to your knowledge is the Goon

1 Squad larger than the officers who were -- than the
2 six officers who were convicted?

3 MR. DARE: Object to the form.

4 You can answer if you can.

5 THE WITNESS: I have no knowledge of the
6 Goon Squad. Never knew there was a Goon Squad at
7 the sheriff's office. After it was found out --
8 after I was made aware of the term "Goon Squad", my
9 understanding, from being told about it, that it was
10 supposed to have been just Lieutenant Middleton's
11 shift, that's what he called his shift.

12 Again, I didn't know anything about it and
13 we've never had any kind of group called the Goon
14 Squad as long as -- up until this came out in court
15 in June of '23.

16 Q. So did you say the Goon Squad consisted of
17 Lieutenant Middleton's shift?

18 A. I didn't say anything about -- I said I
19 never knew or heard of the name Goon Squad. It's my
20 understanding after this came out that it was
21 supposed to be Middleton's shift. But, again, I
22 knew nothing about and don't recognize any Goon
23 Squad at the sheriff's office.

24 Q. Okay. So how did you come to understand
25 that it's supposed to be Middleton -- I mean, the

1 night shift?

2 A. That's what was said, I think in the news.
3 It was either the news or in the court documents
4 that that's what Lieutenant Middleton called his
5 shift, was the Goon Squad.

6 Q. So would it be accurate to say that the
7 entire night shift could be considered the Goon
8 Squad?

9 A. No, sir, there's two different night
10 shifts, two totally different shifts.

11 Q. Okay. Are you certain that this -- that
12 no members of the Goon Squad are still working for
13 Rankin County?

14 A. I've never recognized the Goon Squad,
15 never heard of the Goon Squad. And I don't know any
16 members being on there of a Goon Squad, besides,
17 like I said, what was in the court paperwork,
18 Middleton talking about this shift.

19 Q. Okay. I'll come back to that.

20 Okay. So you did conduct an
21 investigation --

22 MR. SHABAZZ: Okay, this is a good time,
23 let's go to Exhibit No. 8, Trent, because I want
24 to -- let me just ask you about --

25 MR. DARE: What's Exhibit 8?

1 MR. SHABAZZ: Exhibit 8 is the mugshots,
2 much of which appeared in the New York Times.

3 MR. DARE: So are you asking me to print
4 off four copies of 50 pages each?

5 MR. SHABAZZ: I don't know about four
6 copies. I thought it was printed out already and he
7 could just review his copy.

8 MR. DARE: No.

9 MR. SHABAZZ: We just one copy.

10 MR. DARE: We don't have any copies.

11 MR. WALKER: Do you have it on your
12 screen?

13 MR. DARE: No. And I can pull it up on my
14 screen.

15 MR. WALKER: And you don't have it at all?

16 THE REPORTER: No.

17 MR. SHABAZZ: Okay. What are we going to
18 do, Trent?

19 MR. WALKER: We can ask -- we can nicely
20 ask Jason if he would print at least two copies so
21 the Sheriff can look at one and one can be marked by
22 our court reporter.

23 MR. DARE: And I'm going to object to all
24 of the other language and everything else in there.
25 Of course, specifically since it was just produced.

1 MR. WALKER: May I make a suggestion?

2 MR. DARE: Please.

3 MR. WALKER: If you're going to be kind
4 enough to copy these, then post-deposition we can
5 just cut them off so we're just dealing with the
6 mugshots and not any of the other language.

7 MR. DARE: All right. Do you want to come
8 back to that and I can probably work that out?

9 MR. SHABAZZ: While we get it printed out
10 we can come back to it.

11 MR. DARE: I got your -- I got the policy
12 4.06, the Conducted Energy Device Policy, if you
13 would like to ask questions on that.

14 MR. SHABAZZ: Okay, I will. Let's just
15 cover that.

16 Q. (By Mr. Shabazz) Okay. What's your RC
17 number?

18 A. My badge number?

19 MR. WALKER: No.

20 MR. SHABAZZ: On his discovery.

21 MR. DARE: I'm not sure that this was
22 Bates stamped.

23 MR. SHABAZZ: I see RC stamp on it.

24 MR. DARE: What's yours?

25 MR. SHABAZZ: It starts at 1806.

1 Anyway, I'll just have the sheriff -- I'll
2 just have talk about it.

3 MR. DARE: Well, you're asking for the
4 current policy that has an effective date of
5 November 20, 2023, correct?

6 MR. SHABAZZ: Correct.

7 MR. DARE: Policy 4.06.

8 Q. (By Mr. Shabazz) Okay. Sheriff, can you
9 just -- can you just describe that to me. I got a
10 couple of questions to ask you about it. Can you
11 tell me about your current taser policy?

12 A. In addition to the specifications in this
13 policy, deputies of the Rankin County Sheriff's
14 Department shall follow the requirements of all
15 other applicable policies, including but not limited
16 to the standards in policy number 4.01.

17 Deputies shall only use a conducted energy
18 device, CED, typically, an Axon taser, in a
19 nondiscriminatory manner and only when such force is
20 objectively reasonable and consistent with current
21 Rankin County Sheriff's Department policies and
22 training governing the use-of-force procedures.

23 Issuance and carrying CEDs: Only deputies
24 who have successfully completed Rankin County
25 Sheriff's approved training, including certification

1 and/or recertification may be issued and may carry
2 the CED.

3 The Rankin County Sheriff's Department
4 will keep a log of issued CEDs and the serial
5 numbers of cartridges/magazines, issued to deputies.

6 CEDs are issued for use during a deputy's
7 current assignment. Those leaving a particular
8 assignment may be required to return the CED to the
9 Rankin County Sheriff's Department inventory.

10 Deputies shall only use the CED
11 cartridges/magazines that have been issued by the
12 Rankin County Sheriff's Department.

13 Uniformed deputies who have been issued
14 the CED shall wear the device in approved holster
15 and on the side opposite the duty weapon.

16 CEDs should be clearly distinguishable to
17 differentiate them from duty weapon and other
18 device.

19 For single shot devices, whenever
20 practical, deputies should carry an additional
21 cartridge on their person when carrying a CED.

22 Non-uniformed deputies may secure the CED
23 in a concealed secured location in the driver's
24 compartment of their vehicle.

25 The deputy should not hold a firearm and a

1 CED at the same time.

2 Training: Personnel who are authorized to
3 carry the CED shall be permitted to do so only after
4 successfully completing the initial Rankin County
5 Sheriff's Department approved training.

6 Any personnel who have not carried the CED
7 as part of their assignments for a period of six
8 months or more, shall be recertified by a qualified
9 CED instructor prior to again carrying or using the
10 device?

11 Proficiency training for personnel who
12 have been issued CEDs should occur annually.

13 A reassessment of a deputy's knowledge and
14 or practical skills may be required at any time if
15 deemed appropriate by the training director.

16 All training and proficiency for CEDs will
17 be documented in a deputy's training file.

18 The training director is responsible for
19 ensuring that all Rankin County Sheriff's Department
20 personnel who carry CEDs have received initial and
21 annual proficiency training. Periodic audits should
22 be used for verification.

23 Application of CEDs during training could
24 result in injuries and should not be mandatory for
25 certification.

1 As part of any training or retraining, the
2 training director should consider the following
3 topics. A review of this policy, a review of the
4 use-of-force policy, performing weak hand draws or
5 cross draws into proficient to reduce the
6 possibility of unintentional drawing and firing a
7 firearm.

8 Target area of consideration is to include
9 techniques or options to reduce unintentional
10 application approved to the head, neck, area of the
11 heart, and groin.

12 Scenario based training, including virtual
13 reality training when available, handcuffing a
14 subject during the application of the CED and
15 transitioning to other force options, deescalation
16 techniques, restraint techniques that do not impair
17 respiration following the application of the CED.

18 Proper use of covering, concealment during
19 deployment of CED for purposes of deputy safety.
20 Proper tactics and techniques relating to the
21 multiple applications of CEDs.

22 The deputy shall be responsible for
23 ensuring that their Rankin County Sheriff's
24 Department issued CED is properly maintained in a
25 good working order. This includes a function test

1 and battery life monitoring as required by the
2 manufacturer and should be completed prior to the
3 beginning of a deputy's shift.

4 CEDs that are damaged or inoperative or
5 cartridges/magazines that are expired or damaged
6 shall be returned to the deputy supervisor.

7 Warnings: A verbal warning of the
8 intended use of the CED should precede this
9 application unless it would otherwise endanger the
10 safety of the deputies or when it is not practical
11 due to circumstances.

12 The purpose of this warning is to, one,
13 provide the individual with a responsible
14 opportunity to voluntarily comply. Two, provide
15 other deputies and individuals with a warning that
16 the CED may be deployed.

17 Warnings, (B): If after a verbal warning
18 the individual fails to voluntarily comply with the
19 deputy's lawful orders and it appears both
20 reasonable and feasible under the circumstances, the
21 deputy may, but is not required to activate any
22 warning on the device, which may include display of
23 the electric arc, an audible warning or the laser in
24 an attempt to further gain compliance prior to the
25 application of the CED. The laser should not be

1 intentionally directed in anyone's eyes.

2 The fact that a verbal or other warning
3 was given or the reasons it was not given shall be
4 documented by the deputy deploying the CED in the
5 related report.

6 Use of the CED.

7 Q. Chief -- Chief, that's -- I appreciate
8 you. No, honestly, I appreciate you. What I want
9 to do is just, I want to ask you some questions on
10 that, so we make use of our time here. Okay? Just
11 hold on to that policy.

12 What I want to ask you is, who is
13 providing that training right now for your
14 department?

15 A. AJ DeMartino is the training director.
16 And I just went through the training, the
17 recertification myself on the taser and it was our
18 jail administrator, Daniel Barnett is one instructor
19 and the other instructor in that class -- shoot,
20 there's another deputy that instructed the class. I
21 think we have probably three or four taser
22 instructors.

23 Q. Which include Mr. Barnett, Mr. Martino
24 (sic)?

25 A. Yeah, there's some more, I just can't

1 think of their names right now. I can get those to
2 you though.

3 Q. Okay. Now at the time of the incident
4 between Jenkins and Parker, how many -- how many
5 personnel did you have that were training on the
6 taser, proper taser use?

7 A. That were certified instructors?

8 Q. Yes.

9 A. I'll have to go back and check see what
10 dates they got certified. Like I said, I know
11 that -- I just went through the class and -- dang, I
12 can't remember his name. I got three or four of
13 them, but I don't know if they were certificated
14 then -- already certified then or if they just went
15 through the certification in the past two years. So
16 I would have to get you a list of who and when they
17 were certified. I just can't remember the dates or,
18 you know, the names or the dates they were
19 certified. I would have to look up in their
20 personnel file, the training file.

21 Q. Did you have a certified training
22 instructor working for the department at the time of
23 the incident between Michael Jenkins and
24 Eddie Parker?

25 A. I think I did, but I'd have to go back and

1 verify to get you a name and a date that they were
2 certified.

3 Q. So you're not sure if you had one at that
4 time?

5 A. I'm fairly confident that I did, but,
6 again, I'd have to go back and research it to give
7 you a name and -- or when they were certified.

8 Q. Okay. And you said that you have just
9 become certified or recertified?

10 A. Yes, sir, we just had recertification a
11 couple months ago.

12 Q. Okay. And what is your understanding on
13 how tasers record their use? What's your
14 understanding?

15 A. My understanding is that -- and, again,
16 I'm not technical, I'm not an instructor. But it
17 will tell you every time it's cut off and on, every
18 time the trigger is pulled. And if you have the
19 right taser and the right software it will tell you
20 when it actually contacts skin, I think that's
21 called a pulse graph.

22 Q. Okay. Now, how -- we went through some of
23 this. But now how does your department document
24 that taser use?

25 A. Now we do -- again, it's the same as

1 before with a use-of-force report, they have to
2 download their taser, just as they did before. And
3 then quarterly everybody, including myself, you have
4 to bring your taser in and have it downloaded and
5 reviewed, its usage reviewed.

6 Q. And these are changes and reforms you've
7 made, right?

8 A. The downloading the taser and attaching it
9 to the use-of-force report, we've always done, done
10 it for years. And we did change the quarterly
11 downloads, where now you have to bring it in and
12 have it downloaded quarterly.

13 Q. And this change is from your past policy
14 and what respect?

15 A. That we download and review the tasers
16 quarterly now, where, before, they were only
17 downloaded if they were used or if there was an
18 issue or problem with them not working or something.
19 Like I said, before we've always downloaded the
20 taser data to go with the use-of-force report. Now
21 we download everybody's taser quarterly, all issued
22 tasers quarterly to review taser usage.

23 Q. Because previously deputies could have
24 been using their tasers and without a quarterly
25 review or review time, you wouldn't know, unless it

1 was attached to a use-of-force report, right?

2 A. Right, or if somebody left and they
3 downloaded it. I think they'd occasionally they'd
4 download one when somebody left, but most times it
5 would be downloaded -- or all the time it was
6 supposed to be downloaded for the use-of-force
7 report.

8 Q. You're aware that tasers were used on
9 Mr. Parker and Mr. Jenkins, right?

10 A. Yes, sir, from the court documents and the
11 news I learned that, yes, sir. Well, actually,
12 the -- I learned about the tasers actually from you
13 when you did the news release, was it the next day?

14 Q. At some point.

15 A. Yeah.

16 Q. Okay. And, I mean, is it fair to say that
17 at the time of the Jenkins-Parker incident that
18 taser use by the department was largely unregulated?

19 A. No, sir, I think that people were
20 following our policy and procedure and when they
21 were used they were downloaded and a printout
22 attached to the use-of-force. So I think that they
23 were, at that time that was being used properly.

24 Q. But you cannot say that every time that
25 taser was used a use-of-force report was completed?

1 A. No, because, I mean, if you -- the taser,
2 like I said, if you cut it on or if you pull the
3 trigger -- because, you know, most of the time when
4 you issue somebody a taser or if we're fixing to go
5 do -- arrest somebody, the first thing you do is
6 take your taser out, take the cartridge out, cut it
7 on, pull the trigger, make sure it's working. Do a
8 function check, check on it, put it back on.

9 So there's going to be times when it's
10 used, when it's cut on and activated but was never
11 used against anybody.

12 The way you find out if it was used
13 against somebody is sending that data into the taser
14 to Axon and getting that pulse graph done, because
15 it could tell you if it hit skin or not.

16 And that's, you know, one thing we're
17 working towards, is hopefully having somebody that
18 can read those pulse graphs, eventually, to see if
19 it contacts skin or not.

20 Q. All right. So I mean, specifically, I
21 mean, when it's used on a person -- when it was used
22 on a person at the time of Jenkins and Parker, you
23 cannot state that every time it was used on a person
24 that a use-of-force report was attached to that
25 taser use?

1 A. I can't say if it was used on a person or
2 not, because I can't read the pulse graph. So if it
3 was cut on and activated, I don't know if it was
4 used on anybody or not, I can't tell that. But like
5 I said, with this pulse graph technology, hopefully,
6 we'll be able to tell if it made contact with skin
7 or not.

8 Q. Okay. Let me ask you this. In terms of
9 these reforms that you've made, I'm assuming that
10 you were -- you're trying to achieve your best
11 practices as a sheriff; is that right?

12 A. Yes, sir, I want to have the best
13 department I can and give the best service and
14 protection to the people of Rankin County that I
15 can.

16 Q. Who is that that you consulted with on
17 these best practices?

18 A. There's been several people. Our
19 attorney, I contracted with an outside -- a former
20 FBI agent has a company, consult with him to review
21 our policies and procedures and give us
22 recommendations. So it's more like a group of
23 people.

24 Q. Who is that company, the former FBI, who
25 is that?

1 A. I'll think of it in just a second. Artis.
2 Jeffrey Artis.

3 Q. Jeffrey Artis. What is his company?

4 A. Can I look at my phone to give you the
5 name of it?

6 Q. Sure.

7 A. It's called J. Artis -- that's just the
8 letter J. A-R-T-I-S Consulting.

9 Q. J. Artis Consulting?

10 A. Yes, sir.

11 Q. Okay. Now, at the time of the incident
12 you were relying on the deputies to self-report
13 their tasers; is that fair to say?

14 A. Yes, sir, to attach it to the use-of-force
15 report if it was used on somebody.

16 Q. So that was self-reporting by the
17 deputies?

18 A. Yes, sir.

19 Q. And is a taser test different -- that's
20 different from taser use, isn't it?

21 A. Is a taser test different from a taser
22 use?

23 Q. Uh-huh (affirmative response).

24 A. That's what I was telling you, when you
25 cut the taser on it'll record that. And when you

1 pull the trigger, like if you do a function test on
2 it. But as I say that the technology has advanced
3 now where you can tell if it was a skin contact or
4 if it's -- a cartridge was used and if either one
5 made skin contact. That's where we are trying to
6 get to where we can use that, get that kind of
7 information.

8 Q. Okay. A test is three seconds while the
9 use of the taser would be five or more seconds; is
10 that correct?

11 A. Yeah, if they're still the same. I'd have
12 to check the specs on tasers to see if they've
13 changed anything. I haven't used one in so long. I
14 mean, I've used one but I haven't, you know, read up
15 on them.

16 Q. And the use -- and would you agree that
17 the use of more than 10 seconds of a taser -- the
18 use of a taser for more than 10 seconds, that would
19 be inappropriate; is that right?

20 A. No, sir, I can't say it would be
21 inappropriate because you don't know if it's making
22 contact or not. If you're doing a dry stun, if it's
23 not making contact with the skin. And I've seen
24 several cases where you shoot the probes and one of
25 them like went into a guy's leather belt or went

1 into his boot, where it doesn't make any contact at
2 all. So you could do it for several cycles and,
3 again, not have any affect on a guy. So it depends
4 on each circumstance.

5 Q. Well, what if is it making contact?

6 A. If it makes contact, most time I've seen
7 it just takes once, sometimes twice to get somebody
8 under control. But, again, I've seen several cases
9 where it didn't work.

10 Q. So are you saying that if it is making
11 contact the use of it for more than 10 seconds would
12 be -- is that okay?

13 A. I'd say that it's on a case-by-case basis
14 when it's used whether it's -- whether it's -- if
15 it's being effective or not, it would have to be a
16 case-by-case basis.

17 Q. Now has anything changed in that regard
18 between now and then? Between now or when you
19 changed your policy in the time of Jenkins and
20 Parker?

21 A. Really, the only change that stands out to
22 me is the quarterly downloads now, where we actually
23 review the downloads of the tasers to make sure that
24 if there's any activation on there that there's some
25 reasoning for it, use-of-force, or it was tested

1 prior to duty or something like that. So they're
2 being reviewed, the taser activations are being
3 reviewed.

4 Q. Okay. Let me follow-up on something
5 before.

6 Doesn't the taser company inform that
7 discharges are longer than -- doesn't the taser
8 company tell you that the discharge of a taser of
9 longer than 10 seconds is inappropriate?

10 A. Again, I guess if it was making contact.
11 I'd have to read that in person to see if that's
12 correct. But, again, it's a case-by-case basis.
13 Because if you don't make contact it's not -- it
14 doesn't apply to it, I wouldn't think.

15 Q. Well, we're assuming you're making
16 contact.

17 A. I can just tell you the times that I've
18 had to use a taser that most of the time one -- once
19 is all you need. But I have seen cases where it
20 takes more than one activation of it to get the
21 person in custody.

22 Q. I want to ask you about your complaint
23 process. Before you said that, you know, if you
24 determine that a complaint was violent then it would
25 be escalated or referred to Mr. Godfrey or that

1 action would be taken on it. If you deem that it
2 was a valid complaint; is that fair -- is that an
3 accurate characterization of what you said?

4 MR. DARE: Object to form.

5 You can answer. But, I mean, Counsel
6 knows you never said that.

7 Q. (By Mr. Shabazz) Let me rephrase my
8 question.

9 How did you ascertain the validity of a
10 complaint that you were able to find out about?

11 A. When you say complaints, I tell you we get
12 a lot of complaints. So, I mean, if it was like an
13 accident report where one of the drivers didn't
14 agree with the way the deputy wrote the accident up,
15 I would talk with the chief -- the captain of patrol
16 and get him to review the information and, you know,
17 get his opinion on it and see if there was anything
18 to it.

19 If it was a complaint in the jail, like
20 the heat's not working or something like that, then
21 I'd call the jail administrator.

22 If there was a complaint on food in the
23 jail or them not getting their commissary, not
24 getting to see medical, then I would give the
25 complaint to the jail administrator or the captain

1 or whoever and they would follow-up on it.

2 Q. And you would were the decider of the
3 validity of the compliant or how it would be
4 handled?

5 A. If I was the one that got the complaint.
6 Now the complaints would come into the jail
7 administrator directly, they would come into the
8 sheriff's office and I may not be there and they'd
9 transfer it to court services, you know, if somebody
10 complained about how a deputy talked to them when
11 they were getting served a paper.

12 So it wasn't just me. But the ones that I
13 would get, I would refer the complaint to the
14 department head.

15 Q. And the methods of these complaints again
16 are either someone would call on the telephone or
17 write it down on a piece of paper? Just help me be
18 clear on the methods that these complaints came in.

19 A. Yes, they would come in on the telephone.
20 They could come in possibly through the mail. Or
21 I've had people come and complain in person and I've
22 talked to them.

23 Q. You recall a lady named April Pohl?

24 A. April Pohl? I don't remember the last
25 name Pohl.

1 Q. P-O-H-L.

2 A. P-O-H-L?

3 Q. Uh-huh (affirmative response).

4 A. I don't remember a Pohl, no, sir.

5 Q. Okay. Let me just come back to -- on
6 Jenkins and Parker.

7 How did you become aware of the incident
8 between Eddie Parker and Michael Jenkins? How did
9 you become aware?

10 A. Of him being shot?

11 Q. Yeah. How did you become aware of it?

12 MR. DARE: Asked and answered.

13 THE WITNESS: Yeah, I told you earlier --
14 went back through it. But I've told you I believe
15 it was Brett McAlpin called me and told me. And
16 then I don't remember if dispatch called again or
17 not. So I got dressed and started heading that way.

18 Q. (By Mr. Shabazz) Okay. So did you speak
19 with the communications office or dispatch, you
20 know, during the time of this incident?

21 A. That's what I just told you, I'm not sure
22 if I spoke -- I don't know if I spoke to Brett and
23 dispatch or I may have just spoke to Brett. But
24 then I turned around and called MBI. I can't
25 remember if I talked to dispatch or not. I'm sure I

1 must have said something to him on the radio to let
2 them know I was in the car or something. But on the
3 phone, I don't remember if I talked to them or not.

4 Q. But you know you spoke to Mr. McAlpin?

5 A. Yes, sir, I'm pretty sure I did. Yes,
6 sir, fairly certain.

7 Q. Okay. And did you review the taser logs
8 regarding this specific incident?

9 A. It seems like I glanced over the -- I know
10 I glanced over one set. I don't know how to read
11 them like some other people do. But they just told
12 me -- I asked them what it meant and they said the
13 taser had been maybe activated or cut on numerous
14 times, like 12 to 15 times or something like that.

15 And, again, that's what I told you before,
16 that was like a big red flag to me after hearing on
17 the media what was alleged to have happened to him.

18 But, again, at the time I was being lied
19 to and didn't know the truth.

20 Q. So what was your conclusion from -- pardon
21 me.

22 What did you do once you read those
23 reports, those taser reports and you reviewed those
24 taser logs, what did you do after that?

25 A. We -- I didn't do it, but somebody in

1 administration would have released them or
2 transferred them to Mississippi Bureau of
3 Investigations.

4 Q. What was the policy regarding the review
5 of taser logs at that time, following the reported
6 deployment of a taser?

7 A. I would have to look at that policy then.
8 Because this is dated November '23, so I would have
9 to look at the one that was dated before this to see
10 exactly what it said. I can't tell you
11 word-for-word what it said.

12 Q. But, I mean, just from your knowledge as
13 the sheriff, as a supervisor, when the taser was
14 used and the review of the logs, I mean, is it --
15 what would happen with the review of the logs once
16 the taser would be used?

17 MR. DARE: Asked and answered. And this
18 one has been at least five times now again.

19 Q. (By Mr. Shabazz) So only if a use-of-force
20 report was turned in by that deputy would that taser
21 log be reviewed? I just want to be clear.

22 A. Yes, sir, it was reviewed when the
23 use-of-force was turned in. It was downloaded and
24 printed off and attached to the use-of-force.

25 Q. Okay. Now do you know who was on dispatch

1 when you -- who was on dispatch when you -- the
2 night of the incident between Jenkins and Parker, do
3 you know who that dispatch officer was that you
4 spoke with?

5 A. They would be -- I don't know if I spoke
6 to them or not, I can't remember who all I talked to
7 on the phone. But I seem fairly confident that
8 Brett was the one that initially called me. Now if
9 dispatch called me too, I can't remember right now.
10 But there's -- there would be more than one
11 dispatcher. There would be three to four working at
12 any one time. So I could go back to the shift and
13 look and see who was working that night and if -- I
14 think they still have it, if it's saved for long
15 enough, there should be a telephone -- if there's a
16 telephone conversation, a radio conversation between
17 me and dispatch, it should be saved.

18 Q. Okay. So you do have that recording of
19 your communications with dispatch that night?

20 A. I'd have to look back and see how long
21 they save it on the system. But I want to say I'm
22 fairly certain that either the MBI or FBI had
23 already asked for all the radio and phone traffic,
24 so it's possibly already with them in their case
25 file.

1 Q. And you can give that -- you can give that
2 to your attorney to furnish to us; is that right?

3 A. If I can locate the information, yes, sir.
4 If we still have possession of it, we can get it for
5 you.

6 Q. And you say you did turn it into the MBI
7 and the FBI?

8 A. I know they asked for radio traffic and
9 phone traffic from that night and we produced it to
10 them.

11 Q. Okay. But back to that night. When did
12 you come to know that Michael Jenkins had been shot
13 inside of his mouth?

14 A. Well, they just told me that -- Hunter
15 told me that he was across the bed from Mr. Jenkins
16 and that --

17 Q. Hold on. Who told you this?

18 A. Hunter Elward.

19 Q. When you arrived at the scene?

20 A. Sometime after I arrived at the scene,
21 yeah.

22 Q. Okay. Just quickly, how long were you at
23 the scene before MBI arrived?

24 A. I'd have to check the radio log and see.
25 Maybe -- they were there pretty quick, maybe like an

1 hour -- less than an hour, I would think, you know.

2 Q. So you were on the scene with the deputies
3 for an hour?

4 A. No, I can't give you an exact time. I can
5 go back and look at the radio logs and give you an
6 exact time. But I don't know how long I was there
7 before MBI arrived.

8 Q. Approximately. Approximately.
9 Approximately an hour; is that fair?

10 A. I can give you the exact time -- I'd feel
11 more comfortable giving you the exact time from the
12 radio logs.

13 Q. So when Hunter Elward told you that
14 Michael Jenkins had been shot from inside of the
15 mouth, what was your response?

16 MR. DARE: I'm going to object to form.

17 I mean, Counsel, the misrepresentations
18 are getting to me here. I mean you know
19 specifically that's not what this witness testified
20 to.

21 MR. SHABAZZ: Okay. Okay. I'm sorry.

22 Q. (By Mr. Shabazz) Hunter Elward told you
23 that he had been shot. When did you find out that
24 Michael Jenkins had been shot from inside of his
25 mouth?

1 A. It had to be -- I'm thinking it was June,
2 the same time that I found out everything else. I
3 can't remember if something was said before about
4 the possibility of it.

5 Q. So you -- are you saying that you did not
6 know that Michael Jenkins was shot from inside of
7 his mouth until June?

8 A. I don't remember what date. I'm telling
9 you I don't remember when. It seems like something
10 was said about that prior to it, but I knew it for a
11 fact in June when the court documents came out.

12 Q. Because your deputies were at the hospital
13 where he received surgery?

14 A. Yes, sir, the deputies were there. The
15 deputies -- not the deputies involved. No, there
16 were detention officers. He was taken into custody.
17 Matter of fact, he was taken to the hospital and did
18 surgery. Because I remember that, because we -- I'm
19 pretty confident his mother wanted to go see him. I
20 let his mother go see him and I know we paid the
21 hospital bill on it, like over \$100,000.

22 Q. Okay. But what I'm asking was, from that,
23 did you know that -- from his surgery which took
24 place while he was in custody, did you come to
25 understand that he was shot inside of his mouth?

1 A. No, sir. No information was ever
2 communicated to me from MBI or FBI about the
3 damages. It was later on that I found out that he
4 was shot in the mouth.

5 Q. But you didn't even know he was shot in
6 the mouth until later?

7 A. I didn't know -- yeah, I knew that he was
8 shot through the mouth is what the deputy -- was
9 what Hunter Elward told me when I got there. He
10 said that he was on one side of the bed, Mr. Jenkins
11 was on the other, that Mr. Jenkins was supposed to
12 cooperate with him or something and then all of a
13 sudden he came out with a gun from under the bed.
14 And Hunter said he drew his weapon and fired and
15 struck him in the mouth and that they called for
16 medical.

17 Now it wasn't until later on that I found
18 out that he had stuck the gun -- that Deputy Elward
19 had actually placed the gun inside the mouth of
20 Mr. Jenkins. That was -- it may have been June, it
21 may have been a little bit before June. But I
22 didn't find out the total -- all the truth until
23 June of 2023.

24 Q. Now you said that you watched several of
25 my news conferences or my and Attorney Walker's news

1 conferences, and I think you said you read our news
2 releases; is that right?

3 A. I didn't read your -- I read some articles
4 in the paper, but I did see one of your initial
5 press releases.

6 Q. And didn't they all say that he was shot
7 from inside of his mouth?

8 A. I don't remember that, no.

9 Q. But even when you heard that he was shot
10 in the mouth -- did you know he was shot in the
11 mouth when he had that surgery? Because he had
12 surgery on his face and mouth?

13 A. You're confusing me here, because you're
14 saying in the mouth, in the mouth. Did I know he
15 was shot with a gun inside his mouth? No, I did
16 not.

17 Q. But you knew he was shot?

18 A. Through the mouth.

19 Q. Through the mouth right away?

20 A. Yes, sir, that was obvious from that
21 night, from the description of everything that
22 happened.

23 Q. And what was your response to that?

24 A. My response to what?

25 Q. Knowing that he had been shot in the

1 mouth?

2 A. At the time, Deputy Hunter Elward was
3 lying to me and told me that he shot him from across
4 the bed through the mouth, is the information I had
5 that night.

6 Q. Did you ever see the gun that
7 Michael Jenkins supposedly had?

8 A. Yes, I saw it laying on the floor up under
9 the bed. Like the door to the -- I guess you'd call
10 it a bedroom, but the door was open and you could
11 see the gun up under the bed or by the edge of the
12 bed on the bedside facing the front of the house.

13 Q. What did you do in regard to that, to
14 Michael Jenkins allegedly having that gun? Did you
15 ask any questions about that?

16 A. Ask any questions to who?

17 Q. Your deputies about what --

18 A. No, I just stated -- I'm sorry. Go ahead.

19 Q. I'm talking about whether or not that was
20 his weapon or not?

21 A. No, sir. When I got on scene, Deputy
22 Hunter Elward told me that he was standing in the
23 bedroom, I guess you'd call it the bedroom of the
24 house, and that Michael Jenkins was supposed to be
25 cooperating with them or something like that, and

1 that they were going to make a phonecall to somebody
2 and buy some dope. And he said that Jenkins came
3 out with a gun from under the bed. And that Hunter
4 said he drew his weapon and shot at Jenkins and hit
5 him -- shot him through the mouth with his service
6 weapon. And there was a gun laying by the bed where
7 he described, laying on the floor.

8 Q. Who took possession of the gun?

9 A. MBI took over the investigation. MBI took
10 possession of it.

11 Q. That night?

12 A. Yes, sir.

13 Q. Are you aware of Hunter David's -- Hunter
14 Elward's -- pardon me -- affidavit that was
15 submitted, I think the next day to your department,
16 his affidavit about Michael Jenkins having a gun and
17 trying to harm Elward?

18 A. Are you talking about the criminal
19 affidavit for assault on a police officer that he
20 filed?

21 Q. Yes.

22 A. Yeah. Yes, sir.

23 Q. You're familiar with that?

24 A. Yes, sir.

25 Q. When did you first see that?

1 A. I don't know if I actually saw it, but I
2 know that it was filed. They filed charges the next
3 day.

4 Q. Okay. And did you -- did you review those
5 charges?

6 A. No, sir.

7 Q. Did you review his affidavit?

8 A. No, sir.

9 Q. Okay. Why not?

10 A. I never review affidavits or warrants.

11 Q. Even in this case where somebody was shot
12 in the face and under these high profile
13 circumstances?

14 A. No, sir, I've never reviewed a
15 investigator or deputy's affidavit or warrant. At
16 that time they were, like I told you, they were
17 lying to me and still lying to me. So at the time I
18 thought he was telling me the truth. I thought the
19 affidavit was true.

20 Q. So you did see it?

21 A. No, sir, I didn't see it. I never said I
22 saw it.

23 Q. So when did you -- when did you come to
24 believe that it was true?

25 A. Based on Hunter Elward telling me that

1 that's what happened that night, that Mr. Jenkins
2 pulled a gun on him and he was defending himself and
3 returned fire.

4 Q. I get his word -- I get his word that
5 night. But I'm saying for the affidavit, did you
6 review the affidavit?

7 MR. DARE: Asked and answered now five
8 times.

9 Q. (By Mr. Shabazz) Okay. So you didn't --

10 MR. SHABAZZ: He says that he -- I'm not
11 clear on that answer. I can't say asked and
12 answered.

13 Q. (By Mr. Shabazz) I just want to know did
14 you -- when did you -- when did you review the
15 affidavit?

16 A. I have never laid eyes on the affidavit.
17 I have not reviewed it. I never review affidavits
18 or warrants. That's a judge's job, to review them.

19 Q. So in your department, does anybody review
20 the affidavit of the charging document?

21 A. Some of them will get our sheriff's office
22 attorney to review it if they have a question. Some
23 people go to the district attorney's office and get
24 them reviewed occasionally. But there's an
25 affidavit book, there's -- most of the forms are

1 preset on the computer to type out, so. But, no,
2 I've never reviewed affidavits and warrants.

3 Q. So in your department you're saying -- who
4 in the department -- I know you said you don't
5 review affidavits or warrants, even in this case,
6 where you appeared personally on the scene. Well,
7 who did? Who was in charge of reviewing the
8 affidavit and the charging documents?

9 A. I would assume somebody at the DA -- or
10 one of the assistant DAs and the judge would review
11 it before he signed it.

12 Q. But there is no one in your department
13 that reviews an affidavit or was responsible for
14 reviewing Hunter Elward's affidavit to see whether
15 it was authentic or not?

16 A. I've never known of anybody reviewing
17 affidavits in law enforcement agencies. I mean,
18 for -- a ticket is an affidavit, nobody reviews
19 them. We get a copy of them. But you turn it into
20 justice court. Misdemeanor, affidavits and
21 warrants, you turn into justice court. Nobody ever
22 reviews it except for the judges before they sign
23 the affidavit or warrant. I've never heard of
24 anybody reviewing affidavits or warrants.

25 Q. This is a use of deadly force. This use

1 of -- this a affidavit turned in your department
2 that details the use of deadly force.

3 A. By a lying -- by a lying deputy turned
4 that in.

5 MR. DARE: That's not a question.

6 Q. (By Mr. Shabazz) Okay. A lying deputy
7 turned it in. Was there anybody above that lying
8 deputy that reviews the affidavit stating that --
9 reviewed that affidavit?

10 A. I'm not aware of anybody reviewing it
11 besides somebody at the DA's office may have, and
12 the judge I'm sure would have reviewed it before he
13 signed it.

14 Q. Where is this -- okay. Let me ask this.
15 Are they reviewed now?

16 A. No, sir, I don't review -- I don't review
17 any affidavits or warrants. The chief investigator
18 may review some for some of the newer investigators
19 or something, but I don't review affidavits and
20 warrants.

21 Q. So now are you saying that the affidavit,
22 such in the case of the use of deadly force, they
23 are reviewed inside your -- inside your department
24 now?

25 MR. DARE: Object to form.

1 Q. (By Mr. Shabazz) Are they now reviewed?

2 MR. DARE: Counsel, you're going through
3 the exact same question again and again and again
4 until you're hoping to get the answer that you want.

5 MR. SHABAZZ: No, I'm not. No, I'm not.
6 What I'm doing, respectfully, what I'm doing is
7 trying to -- if he says that no one in the
8 department, including him, would review the
9 affidavit --

10 MR. DARE: Before.

11 MR. SHABAZZ: -- that Hunter Elward put
12 forth --

13 MR. DARE: Right. And then he literally
14 just said that's essentially the same now.

15 MR. SHABAZZ: No, I'm just -- he says now
16 that some people in the department are performing
17 that function, and I'm trying to get --

18 THE WITNESS: No, sir, I didn't say that.

19 Q. (By Mr. Shabazz) So what are you saying
20 about now, in terms of these affidavits and charging
21 documents? Are they reviewed now inside of your
22 department?

23 A. They're not routinely reviewed by anyone
24 in the department. What I said to you earlier, in
25 the earlier question was there may be a new

1 investigator, possibly a new investigator that's new
2 at filling out the affidavits and warrants that may
3 ask the chief investigator, they may ask -- you
4 know, could possibly one day ask me, hey, does this
5 look all right to you? You know, so they may
6 have -- that's the only reviewing I would think of
7 is for somebody new. But as far -- no, nothing has
8 changed in the department.

9 I've never reviewed affidavits or
10 warrants. And we're still -- I still don't do it.
11 And I'm not aware of anybody that does do it, except
12 for the judges, the county prosecutor and somebody
13 from the district attorney's office possibly reviews
14 them when they get them.

15 Q. So are you saying today that if a lying
16 officer shot a resident in the mouth and then
17 produced a affidavit claiming that that person had a
18 weapon and that was the justification for shooting
19 them in the mouth, that that affidavit and charging
20 document would not be reviewed by your department
21 today?

22 A. If I knew that they were lying, I would
23 arrest the deputy immediately and call the FBI.

24 Q. But you would have to -- you would have to
25 review that to ascertain whether they were lying or

1 not, right?

2 A. No, how would I know if they're lying or
3 not?

4 Q. I'm just -- and I'm not trying to be
5 argumentative with you. I just wanted to know has
6 anything changed? Since Hunter Elward put that
7 false affidavit in and false charging documents,
8 have you -- are you continuing the same procedures
9 or have you changed?

10 MR. DARE: With warrants? Or are you
11 opening it up to all procedures?

12 MR. SHABAZZ: Right now I'll just limit it
13 to the use of deadly force.

14 MR. DARE: Well, actually, you were
15 talking about with warrants against somebody and
16 charging affidavits. Is that what we're talking
17 about, changing policy?

18 MR. SHABAZZ: Yes.

19 MR. DARE: Okay. So, again, you may
20 answer again if you understand the question. If not
21 ask him to rephrase it.

22 THE WITNESS: Please ask me the question
23 again.

24 Q. (By Mr. Shabazz) Are you saying that no
25 charging documents are reviewed by supervisory

1 personnel in your department prior to them being
2 turned over to prosecutorial authorities?

3 A. No, sir. All affidavits and warrants are
4 turned over to either justice court or circuit court
5 where they're reviewed by the judge.

6 And backing up, I can say that we --
7 you're talking about serious crimes, there has been
8 occasion where I know that the district attorney's
9 office helped draft affidavits and warrants for some
10 crimes. But as a regular and routine practice, the
11 sheriff's office does not review any affidavits or
12 warrants before an investigator or deputy turns them
13 in to the court system.

14 Q. Okay. So what do the supervisors do in
15 your department, since they do not review the
16 actions of the deputies?

17 MR. DARE: What?

18 THE WITNESS: I don't understand the
19 question.

20 Q. (By Mr. Shabazz) What do supervisors do in
21 your department do since they do not review these
22 actions, these specific actions of the deputies, in
23 terms of the affidavits and the warrants -- and the
24 application for warrants that they put in with the
25 court system?

1 A. So you're asking what they do -- what else
2 the supervisors do?

3 MR. DARE: Are we talking about just with
4 warrants and affidavits?

5 MR. SHABAZZ: Specifically on that.

6 THE WITNESS: I'm lost. You're going to
7 have to rephrase the question. I'm sort of lost
8 with you.

9 Q. (By Mr. Shabazz) Okay. I understand you
10 on that.

11 Let me ask you this. You paid
12 Michael Jenkins -- you all paid Michael Jenkins'
13 hospital bill. Why did you do that?

14 A. Because he was in our custody. We do that
15 for all -- any inmate that's in our custody that
16 gets transported to the hospital, we're liable for
17 the hospital bill.

18 MR. SHABAZZ: Okay. Let me -- let me go
19 to Exhibit No. 8 right now. Can we load this
20 composite exhibit of Exhibit No. 8.

21 (Exhibit 8 marked for identification.)

22 Q. (By Mr. Shabazz) Do you have that?

23 A. Yes, sir, Exhibit 8.

24 Q. Okay. Just clear me up on this complaint
25 process before we start this.

1 If Christian Dedmon had a complaint, he
2 would have to -- if a complaint was lodged against
3 Christian Dedmon, the resolution of that complaint
4 would go to Brett McAlpin; would that be fair to
5 say?

6 A. Yes, sir. Back then, if I would have
7 gotten a complaint prior to January of '23, if I
8 would have gotten a complaint on Christian Dedmon,
9 then, yeah, I would have referred it to Brett
10 McAlpin, his supervisor.

11 Q. Okay. And if there was a complaint about
12 anything on the night shift, that complaint would go
13 to Jeffrey Middleton to be resolved; is that fair?

14 A. No, sir, that would go -- any complaint on
15 patrol would go to the captain over patrol.

16 Q. And who was that captain? Who was the
17 captain over the night shift?

18 A. In January of '23?

19 Q. Yes.

20 A. It would be Dwayne Thornton.

21 Q. Dwayne Thornton in 2023?

22 A. Yeah.

23 Q. Let me just ask you this question. Do you
24 exercise any oversight over the sheriff's department
25 on a day-to-day basis?

1 A. Can you ask me that again.

2 Q. Do you exercise any oversight over the
3 sheriff's department on a day-to-day basis?

4 A. Yes, sir, I oversee the sheriff's
5 department every day, 365 days a year, 24 hours a
6 day.

7 Q. You do currently?

8 A. I always have been. I was elected to be
9 sheriff of the county, so to the best of my ability
10 I try to keep up with everything that's going on
11 that I possibly can.

12 Q. And at the time of this incident, you were
13 oversight -- you were doing day-to-day oversight and
14 supervision of this department?

15 A. You're going to have to define oversight
16 and supervision. Was I supervising individual
17 people? No. Was I supervising supervisors? Yes.

18 Q. But so -- is it true -- are you saying
19 that you did exercise oversight of the sheriff's
20 department on a day-to-day basis when the Jenkins
21 and Parker incident happened?

22 A. I'm confused on the question.

23 Oversight of what?

24 Q. Of the sheriff's department?

25 A. I'm the sheriff, yeah. I was over the

1 sheriff's office at the time Mr. Jenkins was shot.

2 Q. Okay. How so did you exercise day-to-day
3 oversight?

4 A. I guess I'm --

5 Q. It's a straight question, because --

6 A. How --

7 Q. I don't think we need to reiterate how
8 bad -- how bad things were and bad things were
9 happening. So that's why I'm asking you, were you
10 exercising day-to-day oversight over this
11 department?

12 A. You're talking about bad things happening
13 on one single night by five individuals who lied to
14 me, who not only passed my background investigation
15 but passed the FBI background investigation.

16 So, yeah, they lied to me. And, yes, it
17 was horrible. And, yes, I hate it ever happening
18 and everything. But I'm over the sheriff's office.
19 My oversight is every single day. Can I keep up
20 with every single individual? There's no way. No
21 way I can.

22 Q. All right. I just asked were you on this
23 assignment every day. Okay. Now, you say one
24 single night, but okay, Schmidt, Mr. Schmidt, that
25 was another night, right?

1 A. Okay. So you had -- and I don't know who
2 all -- I can't remember who all was there, so you
3 had Dedmon and Opdyke on two different deals. So
4 you have two bad situations out of my 12 years, 365
5 days a year. I mean, you know, you -- it's bad
6 situations. I don't know why, you know, if these
7 guys had been doing so much bad stuff, why hasn't
8 the FBI been involved before? Why don't they have
9 to -- how did five of these guys pass the FBI
10 background investigation if they had all these
11 complaints and things against them? I can't
12 comprehend that. I can't understand that. Can you?

13 Q. It could come from lack of oversight and
14 supervision, that they could have passed all of
15 those tests and due to not being supervised --

16 A. So you're saying not only my lack of
17 supervision but the FBI?

18 Q. Well, no, I'm talking about you. It could
19 come from a lack of supervision and oversight from
20 you is the reason why these people who were
21 qualified resulted in, perhaps, the worst police
22 brutality incident in American history.

23 MR. DARE: Counsel.

24 MR. SHABAZZ: This happened under your
25 supervision.

1 MR. DARE: Hang on, Counsel. You haven't
2 asked a question. And you're not going to sit here
3 and badger the witness like this. We're going to
4 take a break.

5 MR. WALKER: Yeah.

6 MR. SHABAZZ: Okay.

7 (Off the record at 4:21 p.m.)

8 MR. SHABAZZ: I just emailed two exhibits,
9 so I think this one page is -- actually just one --

10 MR. DARE: Do we need to go back off the
11 record?

12 MR. SHABAZZ: No, no, no, stay on the
13 record. We'll get back to that. Let me do this
14 here.

15 Q. (By Mr. Shabazz) Okay, Chief Bailey.

16 MR. DARE: Sheriff.

17 MR. SHABAZZ: What did you say, sir?

18 MR. DARE: Sheriff.

19 MR. SHABAZZ: Okay. All right.

20 Q. (By Mr. Shabazz) Okay. We're back on the
21 record. Let me ask you a couple of questions.

22 When did -- what was Brett McAlpin's
23 training to become the chief investigative officer?

24 A. I'd have to go back and look at his
25 personnel file. I'm pretty sure he has a bachelor's

1 degree from may be Southern and he had several years
2 experience on the road and experience as a narcotics
3 investigator.

4 Q. Do you have a copy of his trainings or his
5 sign-in sheets before he assumed that position?

6 A. I could look at his personnel file and his
7 training file and tell you everything that's been
8 turned in to the sheriff's office as far as his
9 train and his education.

10 Q. And do you have a copy of his records from
11 his job? In conducting his duties as chief
12 investigative officer, do you have his records?

13 A. I have his personnel file and his training
14 records.

15 Q. I understand his personnel file and his
16 training record. But do you have a record of the
17 actions and the investigations that he conducted?

18 A. Yeah, I mean, in the offense report system
19 you can pull up reports by officers. So, yes, I
20 could pull up the cases he was involved with.

21 Q. And you -- and you met with him regularly;
22 is that right?

23 A. Remember earlier we talked about that
24 investigators' meeting, I would see him in that
25 meeting some. And then, of course, he would report

1 to me anything serious or major that was going on.

2 Q. And how often did you or the department
3 review Brett McAlpin's performance?

4 A. I mean, I didn't review his performance.
5 He was a chief investigator, one of the admin staff.
6 I mean, I didn't review his performance as chief
7 investigator.

8 Q. You haven't had a review of how
9 Brett McAlpin was performing his job?

10 A. I've never reviewed Brett McAlpin's
11 performance as chief investigator. I never had
12 any -- any major issues that I can think of.

13 Q. Okay. And so he was never disciplined?

14 A. I can't say he was never disciplined. I'd
15 have to go back and look at his personnel file to
16 see if there's any discipline in there. But I can't
17 remember any discipline while he was chief
18 investigator.

19 Q. Okay. Do you recall if Hunter Elward was
20 ever disciplined?

21 A. Yes, I do remember one incident where he
22 was written up, yes.

23 Q. What was that for?

24 A. It involved having -- drinking alcohol and
25 operating a sheriff's office vehicle.

1 Q. What year was that?

2 A. I'd have to go back to his file and pull
3 it and see.

4 Q. What about Opdyke, was he ever disciplined
5 by the department?

6 A. I'd have to -- I can't think of anything
7 coming to mind, but I'd have to review his personnel
8 file to give you an answer.

9 Q. Christian Dedmon, was he ever disciplined
10 by the department?

11 A. Same thing, I'd have to review his file
12 and see what was in his file.

13 Q. But nothing you can recall at this time?

14 A. Like I said, the only one I can recall
15 specific was Hunter Elward. I'm not saying the rest
16 of them don't have anything. I'm saying that's the
17 only one I can personally recall right now.

18 Q. Did you ever -- for the lawsuits that
19 Brett McAlpin was involved in, did you ever discuss
20 or review those with him?

21 A. No, sir.

22 Q. Did you ever review Gearhardt lawsuit?
23 Are you familiar with the Gearhardt lawsuit?

24 A. I remember the name, but at that time I
25 wasn't sheriff.

1 Q. But when you became sheriff did you ever
2 review the Gearhardt lawsuit with Mr. Christian
3 Dedmon?

4 A. Mr. Dedmon?

5 Q. Yeah, Christian Dedmon I'm talking about.

6 A. I don't recall reviewing anything -- any
7 lawsuit with Christian Dedmon.

8 Q. Okay. Yeah, I skipped around.

9 So you don't recall Dedmon ever being
10 disciplined, am I right on that?

11 A. No, sir, I never said that. I said you
12 would have to let me look at his personnel file to
13 give you a correct answer.

14 Q. After the incident with Jenkins and
15 Parker, did you review all these officers
16 disciplinary records?

17 A. Yes, I reviewed their files because we
18 gave copies of them -- of their personnel files to
19 the FBI and MBI.

20 Q. Do you recall that lawsuit, the Gearhardt
21 lawsuit was still in effect while you were in
22 sheriff's -- while you were sheriff?

23 A. I don't recall. I would have to research
24 that lawsuit or get a copy of it to see the dates on
25 it. I don't remember any details of that one.

1 Q. Let me ask you this. At the time of the
2 incident with Jenkins and Parker or even before
3 that, at the time of the incident with Mr. Schmidt,
4 let me ask you this, was there a policy in place
5 that accounted for the use-of-force and ammunition?
6 Specifically who would account for a deputy
7 discharging his firearm?

8 A. Well, if he discharged his firearm there
9 should have been, unless it was like qualifications
10 or something like that, then if he discharged his
11 firearm then he should have produced a use-of-force
12 report to why he discharged his firearm. He should
13 have written a report on it.

14 Q. So if the deputy didn't initiate the
15 use-of-force report, was there any system that you
16 had in place to count the ammunition of your
17 deputies to make sure that they weren't in the field
18 discharging their firearms?

19 A. No, sir, I don't count the ammunition
20 because you can buy it at any store around here. We
21 don't count the ammunition. We issue new ammunition
22 when we do qualifications, but we don't count the
23 bullets, no, sir.

24 Q. So a deputy could fire his weapon as many
25 times he desired as long as he didn't fill out a

1 use-of-force report, the use of his firearm would
2 not be detected by you and your system; is that fair
3 to say?

4 A. I can say I don't know of any way that you
5 can detect when a firearm was fired or not. I don't
6 know how you would do that.

7 Q. Okay. So still to this day, a deputy can
8 shoot as many rounds as they want in the field and
9 if they don't fill out a use-of-force report, they
10 would be fine; is that right?

11 A. Like I said, I know of no way to account
12 for bullets, especially when you can go buy bullets
13 yourself. And if somebody wanted to practice with
14 their weapon at home in their backyard, then I
15 wouldn't see an issue with that. So I don't
16 understand how you would account for bullets being
17 discharged.

18 Q. All right. So the answer is no, that
19 there's no system in place to ensure that the
20 deputies are discharging their -- discharging rounds
21 if they don't report it themselves?

22 A. No, that wasn't my answer.

23 MR. DARE: Counselor, hang on let me make
24 sure I get it clear. Are you talking about county
25 rounds or individual rounds from a County weapon or

1 both?

2 MR. SHABAZZ: I'm talking about rounds
3 from a county weapon.

4 Q. (By Mr. Shabazz) If a County weapon is
5 discharged, are you saying that you had no system in
6 place to keep track of that? Hold officer
7 accountable for shooting off his weapon?

8 A. I don't know of any way that you can
9 account for the bullets being fired out of a weapon
10 unless you put a serial number on each bullet and
11 told them they could not use it -- they couldn't
12 fire anytime -- I don't know how you would do that.
13 I don't know how you would account for that.

14 Q. Okay. I get that.

15 So is it fair to say that a lot of the way
16 that things operated prior to January 2023 was
17 dependent on trust and not verification; is that
18 correct?

19 MR. DARE: Object to form.

20 You can answer.

21 THE WITNESS: No, that's not correct.

22 Q. (By Mr. Shabazz) Okay. Well, how is it
23 not correct? How is that not correct?

24 A. Because I had the unfortunate circumstance
25 of having five deputies lie to me over several

1 major, serious issues in one night. And I think
2 that that's a unique, rare circumstance. You know,
3 I have 120 deputies and had five of them mess up.
4 So that still means I have 115 that are doing the
5 right thing. And, you know, I have one of the
6 lowest crime rates in the country. So the majority
7 of my people are doing the right thing. Did I have
8 five guys do something bad? Yeah, they did
9 something bad and they lied to me.

10 Q. Now, you stated earlier that because they
11 had lied to you, you went back and reviewed other
12 cases they were involved in to see whether they were
13 lying about these other situations, right?

14 A. No, sir. I told you that -- if you're
15 talking about the New York Times article, then there
16 were different people listed in that article that we
17 did an investigation on the ones -- some of the ones
18 listed in that article. Is that the one you're
19 talking about?

20 Q. I'm taking about the article and just your
21 statement that you said that you went back and
22 looked at previous incidents that these officers or
23 deputies were involved in and you had -- to see
24 whether they were lying to you in the past.

25 A. If anything improper was brought to our

1 attention, then we investigated it. Especially
2 after this, when so many people were claiming so
3 many different things, we investigated pretty much
4 each and every claim that we could on any officer.

5 Q. Did you find that these officers had been
6 lying to you in the past?

7 A. I would have to go back and look at the
8 files and see what the internal affairs
9 investigation said on it. But I can tell you that
10 the night of Mr. Jenkins and Mr. Parker that they
11 definitely lied to me.

12 Q. They were also lying when Mr. Schmidt was
13 assaulted and abused, correct?

14 A. I'd have to go and see who was asked what
15 questions before I could tell you if anybody was
16 lying.

17 Q. Okay. And other deputies -- other
18 deputies you said resigned rather than to be
19 questioned about things that you read in the New
20 York Times?

21 MR. DARE: Object to form.

22 Q. (By Mr. Shabazz) Is that a fair recount of
23 what you said?

24 A. No, sir.

25 Q. What did you say?

1 A. I said that we opened an investigation on
2 the allegations made in the New York Times article.
3 And that I told you Cody Grogan, and I can't
4 remember, there was a reserve officer and there may
5 have been one more that we terminated because they
6 failed to come in and cooperate with the
7 investigation.

8 Q. And have you determined that they were,
9 based on them resigning and their conduct during
10 your investigation, have you determined that they
11 were also lying to you?

12 A. I don't know if they were lying or not.
13 They didn't cooperate. And they didn't resign, we
14 terminated them for not cooperating with the
15 investigation.

16 Q. So what were your findings from the New
17 York Times article that you read? What were your
18 ultimate findings?

19 A. I'd have to go back and pull each
20 individual and let you know what the individual
21 finding was. I can't remember off the top of my
22 head what each one of them was.

23 Q. But can you recall whether any of them
24 were found to be guilty of misconduct?

25 A. I can't remember. I'd have to check each

1 individual case and let you know.

2 Q. Okay. Did you -- was there an internal
3 affairs report regarding the Parker-Jenkins matter?

4 A. Yes, I think there was towards the end.
5 Again, we didn't do anything on the front end of it
6 because of the MBI and FBI investigation. But I
7 think there was an internal affairs report done at
8 the end of it when we did find out the truth.

9 Q. So you do have a written report on it?

10 A. I believe so. Yes, sir, I believe so.

11 Q. And can you produce that report to your
12 attorney for furnishing us?

13 A. Yes, sir.

14 MR. DARE: You already have it.

15 MR. SHABAZZ: Okay.

16 Q. (By Mr. Shabazz) Who conducted that
17 investigation?

18 A. You have to let me pull the report and
19 see. I can't remember right now if it was -- I
20 can't remember who exactly did the investigation.

21 Q. Let's go here to the mugshots. Let's go
22 here to the mugshots. Okay. Let me ask you this
23 right before we go to the mugshots.

24 Let me ask you quickly, when an injury
25 occurs to a person that is detained or -- detained

1 or in jail, what is the follow-up that your
2 department did at the time of the Jenkins-Parker
3 incident?

4 A. What kind -- you're going to have to let
5 me know what kind of injury.

6 Q. A person is injured in jail -- let's say a
7 person is injured in the course of being arrested,
8 or a person's injured in the jail or some kind of
9 altercation with the officer. What is the follow-up
10 procedure?

11 A. Well, the first thing that they would do
12 is -- there's so many different injuries that you're
13 talking about here. Like say if there's an
14 individual that had a -- let's say you had a pursuit
15 and you wrecked and he got injured during the wreck,
16 then we'd take him to the hospital. The hospital
17 would evaluate him and let us know if he was capable
18 of being incarcerated or not. If he wasn't capable
19 of being incarcerated, he would be released on his
20 own recognizance, unless it was a very serious crime
21 then we would put a guard with him.

22 And then the same thing with the deputies.
23 Let's say that they, for instance, make a traffic
24 stop and they get in a struggle with somebody and
25 the person gets a cut or some kind of injury.

1 Pretty much they're going to have to take that
2 individual to the hospital to be checked out before
3 the jail will accept them.

4 And then inside the jail, if there's an
5 accident or use-of-force, anything inside the jail,
6 the person would be taken to medical and evaluated
7 by medical and then sent out for further care, if
8 needed. And then, of course, returned to the jail.
9 But at all times they would have a guard with them
10 and all.

11 Then outside of that -- that's most of the
12 ways that injuries are dealt with.

13 Q. I understand. So in both cases if someone
14 is -- pardon me -- someone was dispatched to the
15 hospital to speak to the doctor to understand what
16 were the injuries or the treatment for that patient
17 or that detainee or person that was in jail, you'd
18 dispatch someone there; is that right?

19 A. No, sir, I don't dispatch anybody to talk
20 to the doctor. If somebody has to go to the
21 hospital, then most of the time two jailers or two
22 deputies go with them and sit with that person until
23 the treatment is complete then they're transported
24 back to the jail.

25 Most of the time our medical in the jail

1 would communicate with the doctor and the medical
2 staff on the status of the person that's in the
3 hospital.

4 Q. So the deputies would do the security and
5 the person at the jail would communicate by phone
6 with the doctor; is that right?

7 A. Yeah, most times that's the way it
8 happens, yes, sir.

9 Q. And that's true for both persons that may
10 be injured in the field before they're booked as
11 well as persons in the jail after they're in jail?

12 A. Well, the only thing, if they're injured
13 in the field before they go to the jail, the medical
14 may not know to call and check with them. You see
15 what I'm saying? Because the medical has no idea
16 that they're in the hospital because they went
17 straight from the -- from the -- from the street to
18 the hospital. So it may take a little time for them
19 to be made aware of it.

20 Now if they come from the jail, if they're
21 in the jail and they're transported to the hospital,
22 then, yes, medical definitely knows all about it and
23 they keep up with it.

24 Q. Can we go to Exhibit 8. Let's go to
25 Exhibit 8. I want to run some photos by you, see if

1 you're familiar with these persons.

2 A. Uh-huh (affirmative response).

3 MR. SHABAZZ: This is Exhibit 8; am I
4 right, Trent?

5 MR. WALKER: Yes.

6 Q. (By Mr. Shabazz) I'm showing you a mugshot
7 of Mr. Jeremy Travis Paige that was arrested in
8 August of 2018. Are you familiar with Mr. Paige?
9 Yes, that's correct.

10 Are you familiar with Jeremy Travis Paige?

11 A. No, sir, I'm not.

12 Q. Are you familiar with his allegations?

13 A. Not -- I would have to read them. I may
14 have read them in the past but I don't remember
15 them.

16 Q. And in your review of your New York Times
17 article did you -- so you're not familiar with
18 Mr. Paige at all?

19 A. No, sir, I would have to -- if he's in the
20 New York Times article I would have to read the
21 article again.

22 Q. And can you see from his mugshot that he's
23 been beaten up?

24 MR. DARE: Object to form.

25 THE WITNESS: No, I can't tell. It looks

1 like he has some marks on his face, but I can't tell
2 from the picture if it's -- what type of injuries
3 they are. I mean, I don't know him.

4 Q. (By Mr. Shabazz) So you know nothing of
5 his matter.

6 Do you know anything about the involvement
7 of Brett McAlpin, Deputy Thornton, Rayburn or
8 Stickman in the incident with Jeremy Travis Paige?

9 A. I would have to reread the article to
10 remember what the allegations are to put it all
11 together.

12 Q. But you did not review his case?

13 A. I'm not saying I didn't. I said I don't
14 remember it right now. I would have to reread the
15 allegations and see what kind of case file we have
16 on him.

17 Q. What about Mr. Maurice Porter, number two?

18 A. The name sounds familiar.

19 Q. Can you tell me did you review his
20 situation?

21 A. I don't recall it specifically, I would
22 have to look at it again. If he's in the New York
23 Times article, I would have to review the article
24 and see what our case file says on it.

25 Q. You can't recall reviewing him at this

1 time?

2 A. No, sir, I can't. Not specifically, no.

3 Q. Let's go to Carvis Johnson here next. Are
4 you familiar with Carvis Johnson?

5 A. I remember the name. And I want to say
6 that there was something that happened in the jail
7 with him, but I can't remember specifically what.

8 Q. Do you recall that it was alleged that one
9 of your deputies branded a letter on his body?

10 A. Branded a letter? No, sir, first I've
11 heard of that.

12 Q. Okay. And do you recall the allegations
13 made in Carvis Johnson's lawsuits filed against
14 Rankin County?

15 A. Was that the one -- did he make some
16 allegations in the jail?

17 Q. Yes.

18 A. Yeah, I would have to -- I would have to
19 reread it. I vaguely remember it, but I don't
20 remember specific details.

21 Q. Have you taken any action in reference to
22 the Carvis Johnson case?

23 A. I would have to review the case file on it
24 and see.

25 Q. Okay.

1 MR. DARE: If I may and it may just help
2 clarify, Mr. Johnson, you may not recognize him by
3 name. He was the individual who was stuffing feces
4 all over his --

5 THE WITNESS: That's what I thought -- I
6 was thinking that.

7 MR. DARE: -- into the door and all over
8 the walls.

9 THE WITNESS: And all over the walls in
10 the cell, yeah, I thought it was, but I wasn't sure.

11 MR. DARE: And to -- I just wanted to
12 clarify because -- to make sure that it was
13 understood who this individual was.

14 Q. (By Mr. Shabazz) Okay. Ronald Shinstock
15 is the next one. Do you see him?

16 A. Yes, sir.

17 Q. Ronald Shinstock is alleging that in 2015
18 that he was abused by your deputies. Are you
19 familiar with his claim?

20 A. I remember the name and I know there's a
21 case file on it, but I can't remember the -- I can't
22 remember what he -- what he says happened. So I
23 would have to review that case file too.

24 Q. But do you know if this is one of the
25 cases you reviewed when you were going back to see

1 whether the deputies that were convicted were lying
2 to you? Is this one of the cases --

3 A. I don't remember. I just remember the
4 name, Shinstock. It's a unique name, so I do
5 remember his name. But I would have to look, read
6 the details of the case to see what the outcome was
7 with it.

8 Q. And, again, with all of these cases you
9 looked back on and you said you did reach some
10 outcomes; is that right? You said you reached some
11 outcomes when you looked back about previous actions
12 in the Goon Squad? You said you had reached some --

13 A. The only actions I can tell you that I for
14 sure did was terminate the ones that did not come in
15 to cooperate with the investigation. The rest of
16 them I would have to go back individually.

17 Q. I know you terminated some officers who
18 didn't come in. But did you reach any conclusions
19 on the allegations of these persons that were making
20 allegations in the New York Times, did you make any
21 conclusions that they had -- they had actually
22 suffered from police misconduct?

23 A. I would have to go back to each individual
24 case and let you know individually after reviewing
25 the cases.

1 MR. DARE: And, Counsel, are you
2 representing that each of these individuals in
3 Exhibit 8 were actually referenced in the New York
4 Times article?

5 MR. SHABAZZ: Some are, some are not.
6 Some are, some are not.

7 MR. DARE: Some that the New York Times
8 couldn't even substantiate, basically?

9 MR. SHABAZZ: Okay. Well, I don't know
10 about your characterization. But what I'm saying is
11 that Chief has previously said that he reached some
12 determinations, in terms of some of those
13 allegations in the New York Times, he can't recall
14 them. So I'm trying to see, well, how many did you
15 reach a determination that they were actually a
16 victim of police misconduct?

17 MR. DARE: Thank you for the
18 clarification.

19 Q. (By Mr. Shabazz) Do you know how many,
20 roughly, that you reached a conclusion for?

21 A. No, sir, I would have to go back and
22 review all of them and let you know.

23 Q. But you do have written conclusions on the
24 ones that you did reach a determination on?

25 A. Yes, sir. If there was an internal

1 investigation done related to that New York Times
2 article, then there would be a case and a some kind
3 of results or something with that, that I would be
4 able to report.

5 Q. And you can produce that to your attorney?

6 A. Yes, sir.

7 MR. DARE: From the IA file. That's what
8 you're talking about?

9 MR. SHABAZZ: I got to keep moving right
10 now.

11 Q. (By Mr. Shabazz) Gary Frith, are you
12 familiar with him?

13 A. I'm familiar with the name.

14 Q. Did you review his case, his allegations?

15 A. I would have to go back and see what
16 happened with the internal affairs investigation.

17 Q. Mr. Dustin Hale, did you review his
18 allegations?

19 A. I don't recognize that name. I'd have to
20 review the article and the case file.

21 Which one is he? See if I recognize him.

22 Q. Back to Carvis Johnson did not allege
23 branding, just to be clear. He alleged that Elward
24 and others attacked him and beat him in the jail.

25 Are you familiar with that allegation by

1 Carvis Johnson?

2 A. No, I think he had several different
3 allegations against us from the jail. I can't
4 remember everything on it. But like I say, I know
5 it's on record at the sheriff's office and I can
6 pull it up and let you know.

7 Q. Okay. All right. What about Mr. -- next
8 man here, Mr. Dustin Hale? Dustin Hale, are you
9 familiar with his --

10 A. No, same thing. I would have to review
11 what we had on him up there.

12 Q. Okay. What about Christopher Hillhouse.
13 Are you familiar with that name?

14 A. Yes, sir, I remember that name, but I
15 can't remember any details of it.

16 Q. So he may be in your findings?

17 A. Which one is he? Can you show me the
18 picture you're looking at.

19 Q. Mr. Hillhouse does not have a picture.
20 He's -- did you say you remember his name?

21 A. Yeah, the name sounds familiar.

22 MR. DARE: Counsel, I'm going to show you
23 this. Are you referring to this one?

24 MR. SHABAZZ: No, he doesn't even have a
25 mugshot.

1 Q. (By Mr. Shabazz) Hillhouse does not have a
2 mugshot.

3 A. Okay.

4 Q. But he said he remembers the name,
5 Hillhouse; is that right?

6 A. Yeah, the name sounds familiar, yeah.

7 Q. What about the picture you were just shown
8 Joe Dwayne Frazier?

9 A. Yeah, I know -- I remember reading an
10 offense report with his name in it. But, again, I
11 don't remember the details of it. I remember the
12 name.

13 Q. And did you review his case, his
14 situation?

15 A. If I did, it's been so long that I don't
16 have any details in my mind, I would have to review
17 it again to refresh my memory on it.

18 Q. Robert Jones?

19 A. Vaguely, I mean, I remember that name
20 being mentioned somewhere. I don't know if it's
21 that New York Times article or not. But, yeah, I
22 think there was something on him. And, again, I
23 would have to review the internal affairs case.

24 Q. And you will give us your review on him,
25 your report on him?

1 A. Yes, sir, whatever the -- our attorney
2 says that we can release, yes, sir.

3 Q. Are you familiar with
4 Mr. Fredrick Trimble?

5 A. No, sir.

6 Q. Are you familiar with the gentlemen here,
7 Jerry Manning, James Lynch, Garry Curro and
8 Adam Porter, do you recall any of these prisoners?

9 A. Do you know, was this an incident that
10 happened in Pearl?

11 Q. This is -- Pearl, Mississippi, yes.

12 A. Yeah, I vaguely remember that Curro guy's
13 name. Curro sounds familiar. And Cody Porter
14 sounds familiar. So there's possibly something on
15 them. That does sound familiar.

16 Q. Okay. So you did review these allegations
17 of June 2018 that --

18 A. I'd have to look at -- look at our case
19 file to be able to tell you whether I reviewed it or
20 not.

21 Q. And in all your reviews, did you find that
22 any of your deputies had committed similar acts of
23 abuse to what they did on January 24th, 2023 with
24 Jenkins and Parker?

25 A. I don't know of -- I'd have to go back and

1 look it all up to see, but I don't remember anything
2 as bad as what happened to Mr. Jenkins and
3 Mr. Parker, nothing even close.

4 Q. Do you recall in the New York Times that
5 different allegations were made by these persons,
6 some of which matched up to what happened to
7 Michael Jenkins and Eddie Parker?

8 MR. DARE: Object to form.

9 THE WITNESS: Like I said, it's been well
10 over a year since I probably read the article. I'd
11 have to read it again and check to see what files we
12 have on it.

13 Q. (By Mr. Shabazz) But you'll get us all
14 files and conclusions from the New York Times, your
15 New York Times investigation?

16 A. Yes, sir.

17 Q. What about --

18 MR. DARE: And by the way, he's going to
19 get it to me and as soon as I get a request, I'll
20 get you a response.

21 MR. SHABAZZ: Yes, sir.

22 Q. (By Mr. Shabazz) Mitchell Hobson and
23 Rick Loveday, are you familiar with their
24 allegations?

25 A. I don't know about the Mitchell Hobson,

1 but the Loveday guy -- did he used to be a detention
2 officer for Hinds County?

3 MR. WALKER: Yes.

4 THE WITNESS: Okay. Yeah, the Loveday
5 guy, I vaguely remember it. I remember he was
6 supposed to be selling dope out there and we
7 arrested him or the narcotics people had arrested
8 him and charged him. Because I remember getting a
9 call about him back when all that happened. But I
10 don't remember what allegations he's making against
11 the deputies.

12 Q. (By Mr. Shabazz) Okay. Do you recall that
13 Loveday claims that the deputies poured spices on
14 his buttocks, smashed a chocolate cake in his face,
15 attempted to shove a mag light into his anus and
16 beat him?

17 Do you recall him making those
18 allegations?

19 MR. DARE: Object to form.

20 THE WITNESS: No, sir, I don't.

21 Q. (By Mr. Shabazz) So is it fair to say that
22 even though you did an internal investigation on all
23 the New York Times allegations, that you don't have
24 an independent recollection of the allegations or
25 findings from your reviews?

1 A. No, sir. No, sir.

2 Q. You don't -- you don't -- you don't have
3 that recollection?

4 A. No, sir, I don't agree with what you're
5 saying at all. I'm telling you that as much
6 information that comes across my desk and that I'm
7 given, you're going to have to let me get time to go
8 back and review each one of these cases you're
9 asking me about before I can give you what the
10 results were from the investigation.

11 Q. So that means right now you cannot give me
12 a investigation result based on your New York Times
13 review of the --

14 A. I'm not comfortable --

15 MR. DARE: Asked and answered. And,
16 Counsel, it's 5:10.

17 MR. SHABAZZ: I got you, I got you. We'll
18 keep moving.

19 MR. DARE: No, hey, I'm going give you the
20 15 minutes grace period. In five minutes we're
21 done.

22 MR. SHABAZZ: I got you.

23 Q. (By Mr. Shabazz) Can you see here that --
24 did Mr. Loveday call and tell you that he was beaten
25 by the deputies?

1 A. I don't recall him calling me and telling
2 me he was beaten by the deputy. Somebody called me,
3 and I want to say maybe it was a supervisor at Hinds
4 County jail, somebody called me about him and I
5 just -- I just remember him because he was a
6 detention officer or something over there with Hinds
7 County and sold dope out there at Cedar Ridge near
8 the prison. That's about all I can tell you about
9 him.

10 Q. But you can't give me the result of your
11 investigation into his claims?

12 A. Yes, sir, I can give you the results once
13 I review them.

14 Q. What about Robert Grozier, is it the same
15 case with him?

16 A. I remember the name, I remember something
17 coming across on him. I can't remember specifically
18 what, but I can tell you once I review that case
19 file.

20 Q. Okay. Is that the same answer for Samuel
21 Carter and Christopher Holloway?

22 A. I remember Sam Carter because he has been
23 a frequent flier in the jail, he's had several
24 charges against him. I remember something came up
25 about some allegations with the deputies, I can't

1 remember specifically. I'll have to review his case
2 and let you know the specifics on it.

3 Q. Okay. All right. Coming to the last
4 three questions here. They said that -- at the
5 sentencing for Christian Dedmon, it's a public
6 document. Christian Dedmon says that there was a --
7 speaking of the Rankin County Sheriff's Department.
8 He says, there's a culture of doing things and I'm
9 probably the only person, 28 years old, that was
10 never -- that was ever promoted to narcotics
11 investigator in a county as big as Rankin and as
12 fast as I was. And instead of choosing the right
13 thing, I chose to be a showoff for the expectations
14 of the ones that came before me and became my boss.

15 What is your response to Mr. Dedmon's
16 statement at his sentencing?

17 MR. DARE: Object to form.

18 THE WITNESS: You're going to have to let
19 me read the whole statement. I can't just react to
20 what you just read. My mind can't comprehend it
21 that fast.

22 Q. (By Mr. Shabazz) It is alleging a culture
23 of violence at the department.

24 A. Then I disagree with that. I disagree
25 with his statement then.

1 Q. Now in Hunter Elward's sentencing, he
2 says -- I could go -- he says, quote, I could go
3 back and do what's right. Meaning, I would need to
4 go back seven years to the first time I saw that
5 kind of behavior, speaking of the violence in the
6 department.

7 What would be your response to that?

8 MR. DARE: Object to form.

9 THE WITNESS: You would have to let me see
10 the exhibit and read it. I don't know what he's
11 talking about going back seven years to do what's
12 right. You say "violence", it could be maybe he had
13 an alcohol problem. I don't know what the seven
14 years he's talking about.

15 Q. (By Mr. Shabazz) We'll come back to that.

16 So let me ask you, lastly, would it be
17 fair to say that you knew nothing of the Goon Squad
18 and nothing of these deputies operating outside of
19 the boundaries of law and you knew nothing of the
20 incident which Adam Schmidt -- pardon me -- Alan
21 Schmidt, that you knew nothing of this incidents?

22 A. You're going to have to -- I guess you
23 need to ask those questions one at a time.

24 Q. Would it be fair to say you knew nothing
25 of the Goon Squad and nothing of these deputies

1 operating outside of the boundaries of law prior to
2 the incident on January 2024?

3 A. Right, I had no knowledge of the Goon
4 Squad and no idea that they were -- I wouldn't have
5 allowed that to happen. I would have stopped it.

6 Q. And is it fair to say that you knew
7 nothing of the incident with Alan Schmidt for which
8 the deputies pled guilty? You knew nothing of that?

9 A. I knew about it at the time that they
10 plead guilty.

11 Q. Okay.

12 A. At the end of June, I can't remember the
13 exact date.

14 Q. And let me ask you, did you know, did
15 Hunter Elward have an alcohol problem?

16 A. He had an incident where he was demoted
17 and written up for alcohol. I told you about that
18 earlier, that it's in his personnel file. I don't
19 have the date and time on it. But, yeah, he was
20 moved because of alcohol one time.

21 But you were saying going back seven
22 years, I don't know, you know, you implied violence,
23 I may imply that he had an alcohol problem. So I
24 don't know what he was talking about going back
25 seven years.

1 Q. Okay. But if he was -- if he was speaking
2 of violence, what would be your response?

3 MR. DARE: Object to form.

4 THE WITNESS: Well, if "if" and "buts"
5 were candy and nuts, it would be Christmas all year
6 long.

7 Q. (By Mr. Shabazz) Okay.

8 A. I'm not going to answer a question with an
9 "if" in it.

10 Q. Okay. All right. And lastly --

11 MR. DARE: I thought that was the last
12 question. You're at 5:16 now.

13 MR. SHABAZZ: Okay, I'm done.

14 MR. DARE: All right. I'm going to get an
15 electronic copy.

16 THE REPORTER: Okay. Quick question, we
17 didn't mark that taser policy, were we supposed to
18 mark it?

19 MR. DARE: That's fine, he read most of it
20 anyway.

21 MR. WALKER: Go ahead and mark it, just to
22 be complete.

23 MR. DARE: As what, nine?

24 MR. WALKER: Yeah, nine.

25 (Exhibit 9 marked for identification.)

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SIGNATURE/NOT WAIVED

(Whereupon, the above-entitled deposition was
concluded at 5:17 p.m.)

CERTIFICATE OF DEPONENT

DEPONENT: Bryan Bailey

DATE: January 8, 2025

CASE STYLE: Parker, et al vs. Rankin Co., et al
ORIGINAL TO: Malik Shabazz, Esq.

I, the above-named deponent in the deposition taken in the herein styled and numbered cause, certify that I have examined the deposition taken on the date above as to the correctness thereof, and that after reading said pages, I find them to contain a full and true transcript of the testimony as given by me.

Subject to those corrections listed below, if any, I find the transcript to be the correct testimony I gave at the aforestated time and place.

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This the ____ day of _____, 2025

Bryan Bailey

State of Mississippi

County of _____

Subscribed and sworn to before me, this the ____ day of _____, 2025.

My Commission Expires:

Notary Public

CERTIFICATE OF COURT REPORTER

I, Lori W. Busick, Court Reporter and Notary Public, in and for the State of Mississippi, hereby certify that the foregoing contains a true and correct transcript of the testimony of Bryan Bailey, as taken by me in the aforementioned matter at the time and place heretofore stated, as taken by stenotype and later reduced to typewritten form under my supervision by means of computer-aided transcription.

I further certify that under the authority vested in me by the State of Mississippi that the witness was placed under oath by me to truthfully answer all questions in the matter.

I further certify that, to the best of my knowledge, I am not in the employ of or related to any party in this matter and have no interest, monetary or otherwise, in the final outcome of this matter.

Witness my signature and seal this the 20th day of January, 2025.



Lori W. Busick

Lori W. Busick, CVR-S #7510, CCR #1677
My Commission Expires:
August 22, 2026